



GYDE

Planning Permit Application

Amenity Building Redevelopment
Middle Head Oval, Mosman NSW

Submitted to Sydney Harbour Federation Trust
on behalf of Mosman Council

23 July 2024

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Acknowledgment of Country

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.



Towards Harmony by Aboriginal Artist Adam Laws

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Disclaimer

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1. Foreword

This planning statement has been revised post lodgement to expand consideration of heritage requirements, with a particular focus on referral requirements under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

There was an error identified within the original Heritage Report as submitted which has now been rectified. Consequently, an updated Heritage Report and updated Planning Report have been provided to the Sydney Harbor Trust. These documents provide further detail as to why the proposed amenity block is not required to be referred under the *Environment Protection and Biodiversity Conservation Act 1999* to the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

All other supporting specialist reports have been reviewed. There is no additional analysis required within these reports that would trigger their amendment and/or subsequent resubmission.

The proponent and project team are firmly of the view the expanded assessment presented in the revised heritage and planning reports do not result in material changes to the assessment process, nor do they trigger any amendment to the proposal's siting or design. For abundant caution, it is understood the Trust may elect to re-notify the application.

2. Introduction

Under Section 71 (1) and (2) of the *Sydney Harbour Federation Trust Act 2001*, the Harbour Trust and its lands are exempt from certain State laws including town planning and environmental laws. Therefore, for land development matters on this land, the Sydney Harbour Federation Trust is the planning authority, and all approval is provided through the Trust.

Gyde Consulting have been asked to write this Planning Statement on behalf of Mosman Council for the redevelopment of the Middle Head Oval Amenity Building.

This application is supported by:

- Architectural Plans by Archer Office- 02 May 2024
- Design Statement by Archer Office- 23 July 2024
- Landscape Plans by Studio Rewild and Emily Simpson- 09 May 2024
- Access Report by Design Confidence- 03 May 2024
- Acoustic Report by Acoustic Logic- 06 June 2024
- Arborist Report by Earthscape Horticultural Services- 01 May 2024
- Asbestos and Hazardous Materials Pre-Demolition Assessment by Tetra Tech Coffey- 29 April 2024
- BCA Design Assessment Report by Design Confidence- 03 May 2024
- Building Audit and Risk Assessment by Design Confidence- 06 June 2024
- Biodiversity Assessment Report by Stantec- 03 May 2024
- Bushfire Report by Blackash- 06 June 2024
- Middle Head Oval Amenities Summary Brochure- July 2024
- Statement of Heritage Impact version 2 by Heritage 21 - 23 July 2024
- Lighting DA report by Electro Light- 06 May 2024
- Preliminary Site Investigation by Tetra Tech Coffey- 07 May 2024

- Civil Services Plans by JHA- 06 May 2024
- Survey by TSS Total Surveying Solutions- 21 March 2017
- Traffic and Parking Impact Assessment by Headway Traffic and Transport- 06 June 2024
- Construction and Demolition Waste Management Plan by Elephants Foot- 07 May 2024
- Operational Waste Management Plan by Elephants Foot- 07 June 2024
- Support Letter from the Mosman Swans Junior Australian Football Club (President Licia Bruce)- 17 April 2024
- Support Letter from the Mosman Football Club (President Richard Pike)- 15 April 2024

3. Site Analysis

3.1 Site Description

The site comprises of a grassed oval with a building located on the southwestern corner, the oval is bounded by a waist-high white perimeter fencing and flood lighting. The existing building has an asphalt driveway to the west of the building leading to an underground storage facility/garage. The ground floor houses public toilets, changing rooms, a meeting room and kiosks. There are also tiered seating covered with the extended roof. There is a water tank located to the east of the existing building, there is no landscaping at the existing building, although a banksia bush is located at the rear of the building surrounding the entry signage for Middle Head.

The oval is a manicured lawn for the use of the Mosman Swans Junior Australian Football and the Mosman Football Club for practice and competitive matches for adults and children, HMAS Penguin also uses the site for training or helicopter landings as required. The existing building steps down from Penguin Close to the west of the site down to a driveway. The main access into the building is provided from a pedestrian path from Penguin Close to the centre of the building housing public toilets for locals and visitors to the area. Across the 10 Sydney Harbour Trust sites in 2022-2023 there were 2 million visitors. Well located and maintained public amenities are required for these visitors.



Figure 1 Aerial Imagery of the site [Google Images accessed April 2024]

3.2 Site Context

A site visit was conducted on the 15 March 2024 and the following photos were taken showing the current location of the Oval and surrounding buildings.



Figure 2 Site photos of the existing buiding and the Middle Head Oval

3.3 Local Context

The site is located in the suburb of Mosman, within the Mosman Local Government Area (LGA). The land is owned by the Sydney Harbour Federation Trust (SHFT). The site is located within the area known as Middle Head which is one of Sydney Harbour's seven headlands in the precinct of Headland Park. The existing building is located in the southwestern corner of the Middle Head Oval.

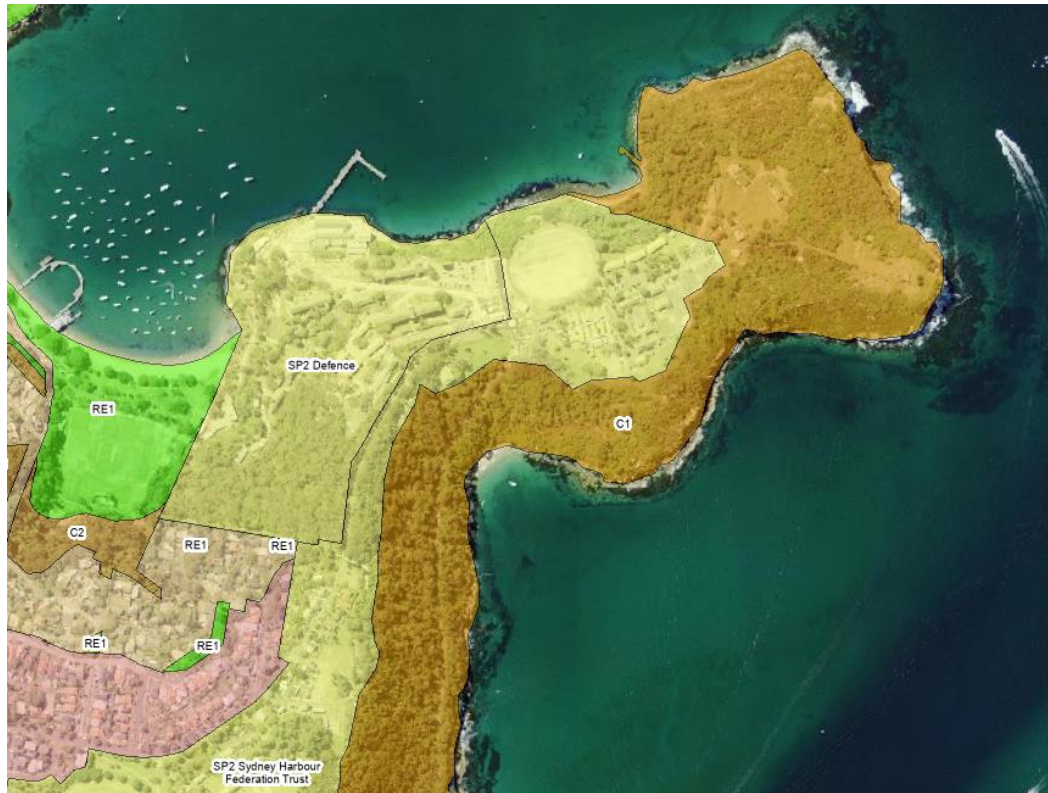


Figure 3 Site Plan with aerial imagery and land zoning as SP2 Sydney Harbour Federation Trust [NSW E-Planning Spatial Viewer accessed March 2024]

Mosman Council has a licence over the Oval and associated buildings (Licence area shown in Figure 4). The Council have maintained the Ovals for sport since Defence's ownership of the site. The Council are one of the biggest stakeholders within the local area and are invested in improving the amenity and visual landscape of the local area.

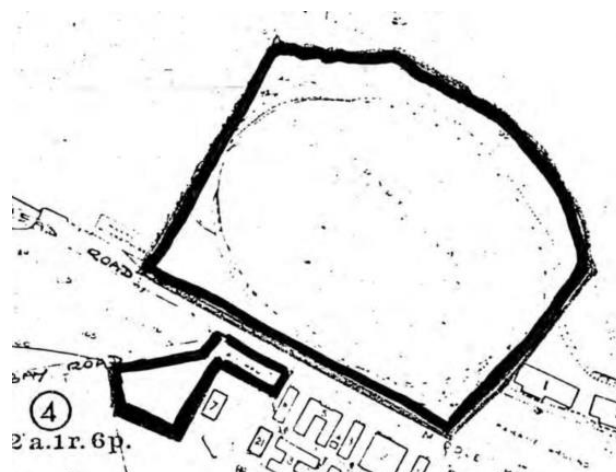


Figure 4 Licence Area for Mosman Council

3.4 The surrounding locality

The site is bounded by HMAS Penguin to the west, a carpark and commercial buildings to the south in the Middle Head business precinct, a café to the east and the Harbour to the north. There is an informal path to the northeast of the oval leading to Cobblers Beach. The site is next to a roundabout with 4 roads intersecting, Penguin close to the north, Middle Head Road traversing from west to east and Chowder Bay Road going south.



View south down Chowder Bay Road



View west up Middle Head Road



View north up Penguin Close



View east down Middle Head Road



View of the existing building
taken from the north of the oval



Informal entrance down to Cobblers Beach
north west of the Oval

Figure 5 Surrounding locality photographs of the Oval and existing building [Own photographs 15 March 2023]

There are two bus stops on either side of Middle Head Road (Balmoral Naval Hospital, Middle Head Road Stop ID: 2088103 and Middle Head Road opposite Balmoral Naval Hospital Stop ID: 2088104) with a regular bus service on the 111 South Mosman Wharf to Chowder Bay route.

4. Development and Assessment

4.1 The Proposed Development

Development consent is sought to:

a) Demolish

- The current building (~213m²) and associated driveways, pedestrian access path, external water tank, hardscaping at the southwest of the current Middle Head Oval
- A portion of the perimeter oval fencing in front of the bleachers
- The Middle Head Signage
- Wooden boundary fencing

b) Relocate

- Water meter
- 1 x light pole
- Bins
- Electrical pillar
- Main switch board
- Hydrant booster
- Bubbler

c) Build

- A separate, single storey 231m² amenity building consisting of:
 - Public Amenities (5 toilets, a hand washing station, and a water bubbler)
 - 2 Change rooms with toilets and showers
 - Store room
 - Utility room
 - Umpire office
 - Admin and first aid room
 - Kiosk
- A covered spectator stand (over the existing tiered seating) in the southwest corner of the Oval.
- New pedestrian pathways throughout the proposed development space, bicycle parking and a new proposed drop off zone to the south of the Oval behind the existing tiered seating.
- A new community space with BBQ's, integrated bench seating and a fully landscaped area between the new stand cover and new Amenity building.
- A new vehicle access at grade to the north of the new Amenity building
- New signage facing the roundabout for 'Middle Head Oval'

4.2 Proposal Benefits

The new amenity building will provide a fit for purpose building for the oval users while also providing a new community space for the visitors to the area. These can be detailed in three main categories: social, cultural and economic.

Social and Cultural

- **Enhanced Quality of Life:** Upgraded amenities and community spaces improve both residents and users' quality of life by providing better facilities for recreation, relaxation, and social interaction.
- **Strengthened Community Bonds:** This well-designed community space and amenity block will encourage social gatherings and events, fostering a stronger sense of community and belonging among users, visitors, and locals.
- **Health and Wellbeing:** Access to upgraded facilities such as the new amenity building and new community space promotes physical activity and mental well-being, contributing to healthier lifestyles for users, visitors, and locals. Safe and well-designed changing rooms will also encourage more female participation in sports by making females feel comfortable and respected.

Economic

- **Economic Boost:** Enhanced amenities can attract more visitors and businesses to the area, boosting local commerce and contributing to the economic development of the area.

Table 1 A high level summary of the development impacts of the amenity block proposal

Assessment Item	Development Impact
Access	<p>The access report by Design Confidence states that:</p> <p><i>'the proposed sporting development is capable of achieving compliance with the relevant accessibility provisions of the BCA'</i></p> <p>The upgraded facilities will be able to cater for more visitors through the accessible entry ways throughout the site.</p>
Bushfire	<p>The bushfire report by Blackash states that:</p> <p><i>'the proposed redevelopment of the amenities can comply with Planning for Bush Fire Protection 2019.'</i></p> <p>The new building is located in the most appropriate area of the oval to reduce bushfire risk.</p>
Trees and landscaping	<p>The arboricultural impact assessment by Earthscape Horticultural Services report states:</p> <p><i>'The proposed development will not result in the removal or adverse impact on any of the subject trees'</i></p> <p>and</p> <p><i>'The Landscape Design Report prepared by Studio Rewild and Emily Simson Landscape Architecture indicates a number of new locally indigenous trees to be planted within the site as part of the new landscape works. These include several Sydney Red Gums and Coast Banksias.</i></p> <p><i>These species are considered appropriate to the site conditions and will result in a net increase in amenity and canopy cover within the site.'</i></p> <p>There are no trees stated for removal in this application and there will be an increase in tree planting through the site.</p>

Assessment Item	Development Impact
Biodiversity	<p>The biodiversity report by Stantec Australia states that:</p> <p><i>‘The Project does not impact any mapped BV [Biodiversity values] or native vegetation to which the clearing thresholds would apply, nor is it likely to significantly impact any threatened species, population or community.’</i></p>
Site Contamination	<p>The Preliminary Site Investigation by Tetra Tech Coffey states:</p> <p><i>‘The site has not been listed on any public registers in relation to contamination.’</i></p> <p>Remediation/management of hydrocarbon impacted soil (and asbestos if present) is readily achievable.</p>
Noise	<p>The noise report by Acoustic Logic states that:</p> <p><i>‘the proposal will not result in any adverse noise or vibration impacts’</i></p> <p>The new building will modernise the amenity building and ensure any noise emitting machinery is built with the appropriate housing to minimise noise emissions.</p>
Heritage	<p>The heritage report by Heritage 21 states:</p> <p><i>‘the proposed development complies with pertinent heritage controls and would engender a neutral impact on the heritage significance of both the subject site and heritage items in the vicinity’</i></p> <p>The amended Heritage Report which includes a further assessment against the Commonwealth Heritage Place Items states:</p> <p><i>‘Heritage 21 is of the opinion that the proposed development would be minor in nature and would not engender any ‘significant’ impact on Commonwealth Heritage Place – ‘Defence Site- Georges Height and Middle Head (historic Place No. 15541)’ in which it is located. Heritage 21 believe that the proposed development would not require a referral to the Minister under the EPBC Act.’ And ‘The new vehicle drop off bay would not alter the existing alignment of Middle Head Road. Heritage 21 believes that this would ensure that the proposed works engender a neutral impact on the heritage item – Military Road Framework’.</i></p>
Lighting	<p>The lighting report by Electro Light states:</p> <p><i>‘the design of the external landscape lighting shall be a considered and subtle response to the unique local environment of Middle Head. This approach is well aligned to the key design principles for spill lighting mitigation.’</i></p> <p>The proposed lighting will ensure safety is key, but also that the lighting is sympathetic to the locality.</p>
Traffic and Parking	<p>The traffic report by Headway states that:</p> <p><i>‘Anticipated traffic impact to Middle Head Road and the surrounding road network is negligible with the proposed development being ancillary to the existing use of the oval’</i></p>

Assessment Item	Development Impact
	<p>and</p> <p><i>‘Proposed development does not require additional parking spaces.’</i></p> <p>The new development will include a drop off bay to allow for less conflict between the oval users and HMAS Penguin during drop offs and pick-ups.</p>

4.3 Alternative Design Options

The Council and Development team undertook significant design development to come to the final proposal provided in this planning application.

For at least the last decade, Mosman Council has been exploring options for the renewal of the facilities. At the request of the Trust, over this time Council has undertaken multiple feasibility studies which included options on the south-eastern side of the oval, as seen below, options on southern side of the oval and options to renew/replace the facilities within the current footprint. Further the Trust themselves have explored the option of the facility adjacent to the existing café offering. All these options had significant constraints not limited to bushfire impact, large excavations, view impacts, lack of support from the Trust and the community and inconsistencies with other objectives of the Trust. The latest iteration of the design considers all the constraints of the site, including the objectives of the Trust and is considered a superior outcome for the site even when measured against the current status quo. (extracts are provided in Figure 5).

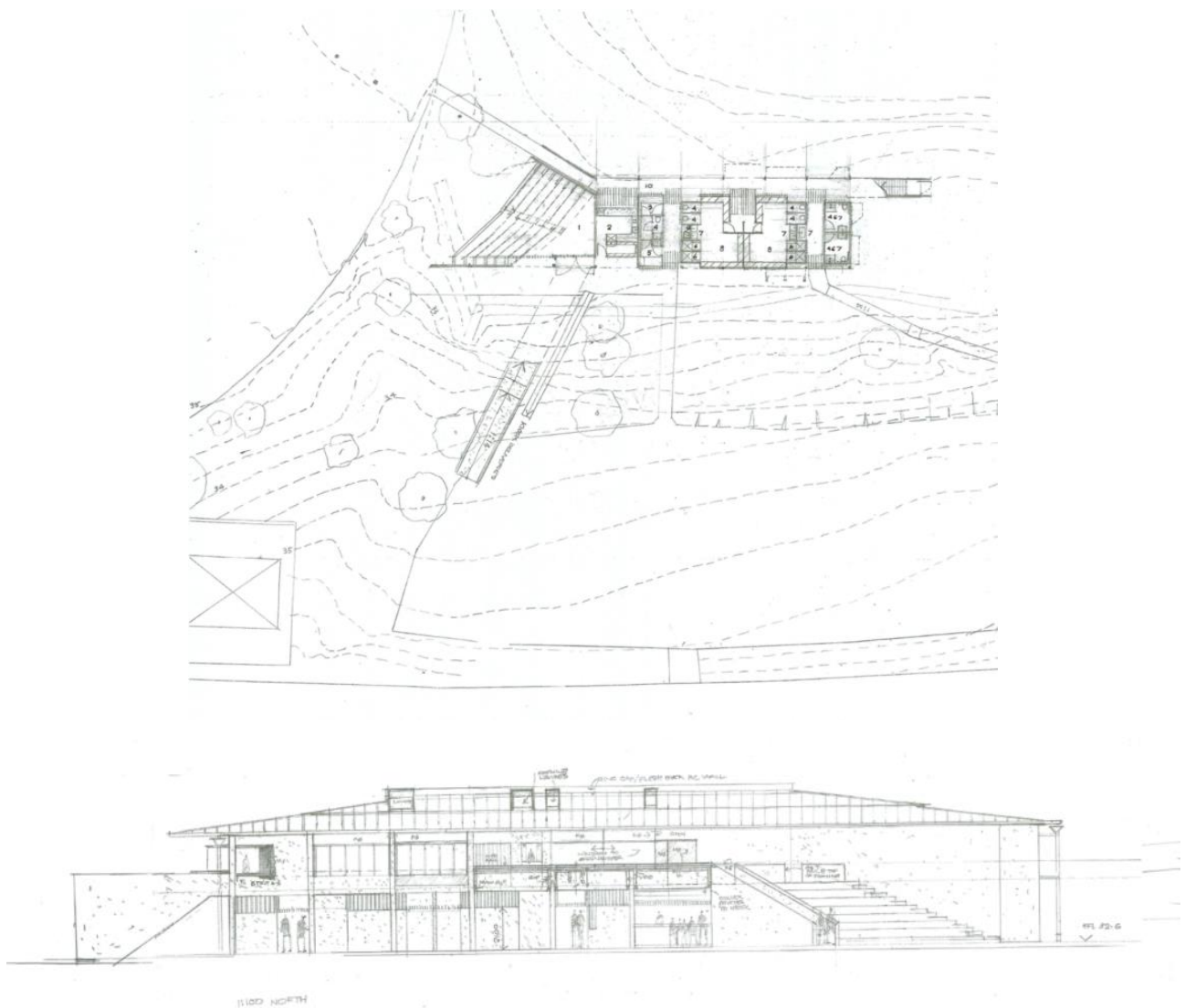


Figure 6 Mosman Council lead eastern Design Iteration for the Amenity Building.

4.3.1 Design principles and advantages of the proposal

The existing location of the building removes the view of the bay over to Dobroyd Head and further to Manly from the main access road into the site.

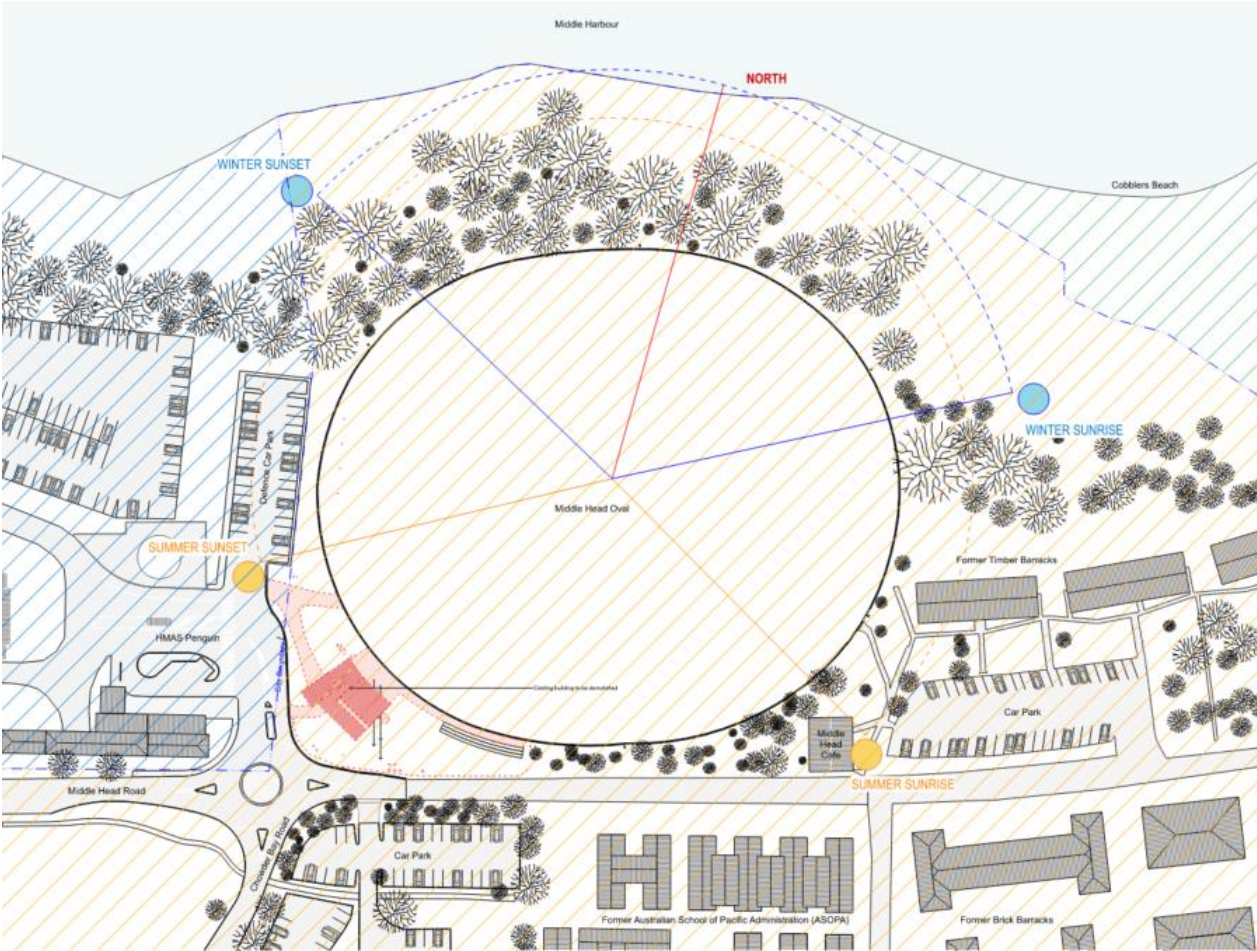


Figure 7 Site analysis Archer Architects [2024]

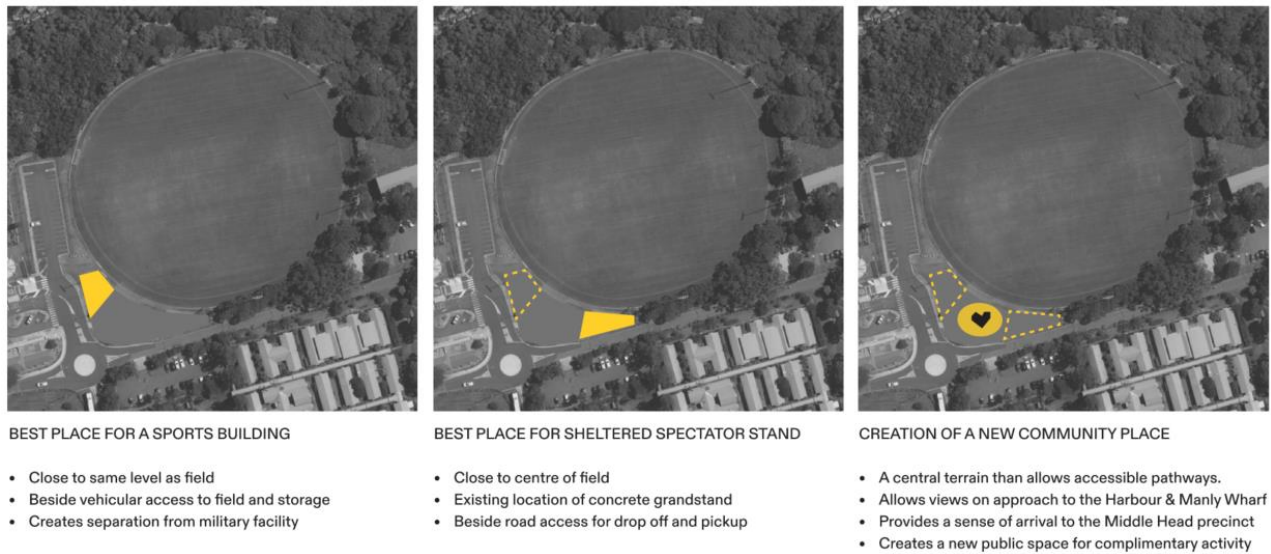


Figure 8 Site Development Archer Architects [2024]

The Architects created a site analysis (Figure 8) which took the best attributes of the site and designed a building to enhance those characteristics. The building is best placed to be located off Penguin Close to the west of the current location as the levels of the site are similar to allow for easier building of the site.

The split of the building and the sheltered spectator stand ensures the views across the field and the bay are opened up for visitors to Middle Head which were previously closed off. The utilisation of the existing tiered seating allows for the reuse of the seats and maintains the look out across the oval. This split allows the development of a new, central community space and garden to allow the users of the area to congregate in a beautiful, purpose-built space.

The central landscaped lawn integrates ramped pathways to provide wheelchair accessible connections between the various levels of the road, spectator area, field and the amenity building itself. The proposed location of the amenities building and spectator shading structure allows for the integration of a number of objectives from the Middle Head Master Plan and Management Plan, such as the Plateau Headland Loop Walk and drop off zone, should they be implemented by the Harbour Trust.

Materiality and Finishes

The muted colour scheme of the proposed development and incorporation of sympathetic materials (consisting of sandstone-coloured precast concrete panels and steel roof and timber screen) would follow the character and materials of the surrounding buildings. In the opinion of Heritage 21, the design of the new development would allow for a contemporary interpretation of these traditional materials, such that the new buildings blend in well with the surrounding context while remaining distinctly contemporary in its form and detailing.

The proposed development is sited away from the heritage buildings of item I142. The proposal would not overwhelm or impact any of the heritage buildings located in the vicinity. It would be a small-scale development, respecting its existing setting and character. The proposed materials of the new amenities building and shading structure would be in line with the buildings observed at HMAS Penguin and the AUSAID Training Centre. The use of sandstone coloured pre-cast concrete panels, sloping metal roof sheeting and timber battens would ensure that the new development seamlessly assimilated with the surrounding heritage items.

Please refer to the Middle Head Oval Amenities Summary Brochure by Mosman Council for further details and benefits of the development.

4.3.2 Heritage

The site is located within a Commonwealth Heritage Place - Defence Site – Georges Height and Middle Head (Historic Place No. 105541) and the proposed kerb of the drop off bay is on the boundary of Military Road Framework – Defence Land (Historic Place No. 105575).

Figure 9 below shows the site highlighted on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Protected Matters online mapping tool.



Figure 9 Middle Head Oval (site highlighted in Green) Protected Matters Search Tool- Department of Climate Change, Energy, the Environment and Water (DCCEEW) [Accessed Online- 2024].

The heritage assessment by Heritage 21 concludes *'the proposed development would be minor in nature and would not engender any 'significant' impact on the Commonwealth Heritage Place'* and *'the proposed development would not require a referral to the Minister under the EPBC Act'* and *'The new vehicle drop off bay would not alter the existing alignment of Middle Head Road. Heritage 21 believes that this would ensure that the proposed works engender a neutral impact on the heritage item – Military Road Framework'*.

The Middle Head/Gubbah Gubbah Master Plan (2023) Section 3.3 states that *'Given the disturbed nature of the area, the survey [2006 Archaeological survey] found it unlikely that First National cultural material would have survived past development. It concluded that no additional archaeological survey of this area of the site was necessary or warranted.'*

The 2006 survey covered the former golf clubhouse site, the former ASOPA buildings and surrounds, the buildings located on the plateau and Middle Head Oval. Within the broader site of Middle Head there is evidence of both Aboriginal sites of containing Middens and shelters however these are of a significant distance away (greater than 200m) from the proposed building as not to have any impact.

Please refer to Section 1.6 of the Heritage Assessment in relation to archaeological requirements.

4.4 ***Environment Protection and Biodiversity Conservation Act 1999 Act***

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) protects nationally significant animals, plants, habitats and places in Australian territories. A referral may need to be submitted if the project potentially impacts any Matters of National Environmental Significance (MNES) protected under the EPBC Act. A self-assessment is the first step to understand the duties under the Act and if a referral is required.

The 'Environment' is defined under the EPBC Act 1999 Section 528 as:

environment includes:

- (a) ecosystems and their constituent parts, including people and communities; and
- (b) natural and physical resources; and
- (c) the qualities and characteristics of locations, places and areas; and
- (d) heritage values of places; and
- (e) the social, economic and cultural aspects of a thing mentioned in paragraph (a), (b), (c) or (d).

This report provides an overview of part a, b and c of the definition in Section 3 of this report, part d- heritage values of place is provided in Section 4.3.2 and the social, economic and cultural aspects of the proposed development is within Section 4.2.

The Matters of National Environmental Significance are¹:

- World Heritage properties
- National Heritage places
- Wetlands of international importance (often called 'Ramsar' wetlands after the international treaty under which such wetlands are listed)
- Nationally threatened species and ecological communities
- Migratory species
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- Nuclear actions (including uranium mining)
- A water resource, in relation to coal seam gas development and large coal mining development.

An EPBC Assessment is required where an 'action' will have a 'significant impact' to Matters of National Environmental Significance (MNES).

An 'action' is broadly defined as a project, a development, an undertaking an activity or a series of activities or an alteration of any of these things.

A 'Significant Impact' is an impact which is important, notable, or of consequence, having regard to its context or intensity.

The Matters of National Environmental Significance protected under national environment law and a response in relation to these matters against the development proposal of the new Amenity Building are listed in Table 2.

¹ Department of Climate Change, Energy, the Environment and Water. (2023). [National Environmental Significance Guidelines](#).

Table 2 Matters of National Environmental Significance and responses in relation to the proposed Amenity Building.

EPBC Act Protections	Proposal Response
Listed threatened species and communities	<p>Not Relevant.</p> <p>There are no listed threatened species and communities located within the current amenity block, nor within the footprint of the proposed amenity block. The use of an amenity block is already occurring on site, this proposal will continue this use in a new building on already heavily disturbed land.</p> <p>Stantec's Biodiversity Assessment Report determined that '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p> <p>Please refer to the Stantec report for more details of Biodiversity Assessment undertaken on site.</p>
Listed migratory species	<p>Not Relevant.</p> <p>There are no listed migratory species and communities located within the current amenity block, nor within the footprint of the proposed amenity block.</p> <p>Stantec's Biodiversity Assessment Report determined that that '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p> <p>Please refer to the Stantec report for more details of Biodiversity Assessment undertaken on site.</p>
Ramsar wetlands of international importance	<p>Not Relevant.</p> <p>The site is not located within Ramsar Wetlands.</p>
Commonwealth marine environment	<p>Not Relevant.</p> <p>The site is not located within a Commonwealth Marine Environment.</p>
World heritage properties	<p>Not Relevant.</p> <p>The site is not located within a World Heritage Site.</p>
National heritage places	<p>Not Relevant.</p> <p>The site is not located within the National Heritage List.</p>
The Great Barrier Reef Marine Park	<p>Not Relevant.</p> <p>The site is not located within the Great Barrier Reef Marine Park</p>
Nuclear actions	<p>Not Relevant.</p> <p>The site is not a nuclear action.</p>
A water resource, in relation to coal seam gas development and large coal mining development.	<p>Not Relevant.</p> <p>The site is not a water resource in relation to a coal seam gas development or a large coal mining development.</p>

The DCCEEW Significant Impact Guidelines state that to make a decision as to whether or not to refer an action to the Minister, the applicant should consider the following matters as set out in Table 3.

Table 3 Significant Impact Guideline questions and response

Considerations	Response
1. Are there any matters of national environmental significance located in the area of the proposed action (noting that 'the area of the proposed action' is broader than the immediate location where the action is undertaken; consider also whether there are any matters of national environmental significance adjacent to or downstream from the immediate location that may potentially be impacted)?	<p>As detailed in the breakdown of the MNES in table 2, no MNES will be affected in the area of the proposed action and wider area.</p> <p>The Stantec Report includes a review of any MNES species within the subject area and conclude '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p>
2. Considering the proposed action at its broadest scope (that is, considering all stages and components of the action, and all related activities and infrastructure), is there potential for impacts, including indirect impacts, on matters of national environmental significance?	<p>The broadest scope for the development would be broken down into three stages demolition, construction and operation. None of these stages have an impact either direct or indirect on MNES. This is confirmed by the Stantec Report includes a review of any MNES species within the subject area and conclude '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p> <p>The demolition and construction will be undertaken within the scope of this approval and within a Construction and Environmental Management Plan (CEMP).</p> <p>The operation of the amenity block will be under the direction of a future Plan of Management to be authored by Mosman Council.</p>
3. Are there any proposed measures to avoid or reduce impacts on matters of national environmental significance (and if so, is the effectiveness of these measures certain enough to reduce the level of impact below the 'significant impact' threshold)?	<p>As detailed in the breakdown of the MNES in table 2, no MNES are located in the area of the proposed action. Therefore, there are no impacts to avoid or mitigate.</p> <p>The Stantec Report includes a review of any MNES species within the subject area and conclude '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p> <p>A CEMP will be written prior to construction occurring, this will adhere to the relevant Australian construction standards and unique items as per the Trusts Management Plans.</p>
4. Are any impacts of the proposed action on matters of national environmental significance likely to be significant impacts (important, notable, or of consequence, having regard to their context or intensity)?	<p>As detailed in the breakdown of the MNES in table 2, no MNES are located in the area of the proposed action. Therefore there is no impact, significant or not to MNES.</p> <p>The Stantec Report includes a review of any MNES species within the subject area and conclude '<i>No Commonwealth MNES is likely to be directly impacted by the Project.</i>'</p>

The proposed development is an 'action' under the EPBC Act but there is no relevant MNES item which this proposal would trigger the requirement for a referral to the Department of Climate Change, Energy, Environment and Water (DCCEW). We note that the site is located within a Commonwealth Heritage Listed Item- Georges Height and Middle Head (105541) shown on Figure 9 although this is not a Matter of National Environmental Significance.

While the proposed development does not trigger the referral requirement, we have assessed the proposal against the sensitivity, value, and quality of the environment which the action is proposed, and upon the intensity, duration, magnitude and geographic extent of the development. These items are listed and responded to in Table 4.

Table 4 Environmental Considerations and Impacts of the proposed development

Environmental Considerations and Impacts	Response
Sensitivity of the Environment	The Middle Head Oval proposed amenity block and community space is not within a sensitive environment. The site is heavily disturbed with a current driveway, current amenity block and pathway located where the proposed building will be.
Value of the Environment	The Middle Head Oval proposed amenity block and community space is not within a high value environment where this development would be of a detriment to the locality. The new proposal will improve the visual amenity of the site while not affecting any MNES in the area.
Quality of the Environment	The site has a low-quality environment as the site is heavily disturbed due to the existing amenity block, driveway and seating area. The new proposal will improve the visual amenity of the site while not affecting any MNES in the area.
Intensity of the Impact	There will be no to Low Intensity of Impact. This proposal provides for a new amenity block within a similar location of the old amenity block. The land is already disturbed with the driveway and path currently situated where the new amenity block is proposed.
Duration of the Impact	There is little impact of the proposed action (amenity block). There is already an amenity block within the south western portion of the Oval, it is not fit for purpose and the new building improves the offering for the locality. The building will be of permanent construction and will have an improved building life cycle.
Magnitude of the Impact	There is no to light magnitude of the impact of the development, the proposed amenity block and community space is within the disturbance footprint of the current driveway and building of the current amenity block.
Geography of the Impact	The location of the development is proposed on the southwestern curtilage of the existing Middle Head Oval. It is located within the Commonwealth Listed Place (105541) This is not a MNES.

4.4.1 Review of Impacts from other disciplines

We have also assessed the potential impacts from the other disciplines in relation to the location and the Commonwealth Heritage Listing on the subject site and surrounding locality.

Heritage

The site is located within a Commonwealth Heritage Listed Place (105541) Defence Site – Georges Height and Middle Head. As the site is not located within World heritage properties or a National heritage place it would not need to be referred to DCEEW under the EPBC Act.

The heritage assessment by Heritage 21 concludes *‘the proposed development would be minor in nature and would not engender any ‘significant’ impact on the Commonwealth Heritage Place’* and *‘the proposed development would not require a referral to the Minister under the EPBC Act’*.

Refer to the Heritage report by Heritage 21 for further details.

Traffic

The proposed development will not change the current traffic generation rates of the Oval and Amenity Block. Therefore, there is no impact change to any species and communities that may be present in the wider locality.

Headway’s traffic report states *‘Anticipated traffic impact to Middle Head Road and the surrounding road network is negligible with the proposed development being ancillary to the existing use of the oval and therefore not expected to generate additional traffic.’*

Refer to the Traffic report by Headway for further details.

Contamination

The site has been heavily disturbed since it was used as a carpark in the 1960’s and the current amenity block being constructed in the mid 1980’s.

The Preliminary Site Investigation (PSI) by Tetra Tech Coffey states:

‘The site has not been listed on any public registers in relation to contamination.’

Remediation/management of any hydrocarbon impacted soil is readily achievable and will be managed through construction. This item can be dealt with through conditions of consent. Prior to building works starting, further investigation of the southern portion of the site would be required, and an asbestos management plan will be undertaken. There are no Matters of National Environmental Significance (MNES) within the subject site current or proposed that will be affected by any contaminants on site. A CEMP will be implemented to ensure all Australian Standards are adhered to during construction.

Refer to the PSI and Hazmat report by Tetra Tech Coffey for further details.

Lighting

The proposed lighting meets the relevant Australian standards and as the Stantec report concluded there are no known listed species that will be affected by the proposed development, the proposed lighting will not affect any MNES within the area.

‘The design of the external landscape lighting shall be a considered and subtle response to the unique local environment of Middle Head.’ And ‘Designed in accordance with relevant Standards and Guidelines, including AS4282: Control of the obtrusive effects of outdoor lighting to ensure amenity is maintained in the area’

Refer to the lighting report by Electro Light for further details.

Noise

The proposed development will meet the relevant Australian standards and as the Stantec report concluded there are no known listed species that will be affected by the proposed development, the proposed generated noise will not affect any MNES within the area.

‘Overall, the proposal will not result in any adverse noise or vibration impacts subject to the implementation of the complying constructions and controls set out in this report.’ The controls mentioned in the report will be implemented in a Plan of Management by Mosman Council and are relevant to the operational aspect of the development. The development use is not new and there is no impact change to any species and communities that may be present in the wider locality.

Refer to the acoustic assessment by Acoustic Logic for further details.

Design

The proposed amenity block has been designed with acknowledgement of the surrounding area and its heritage significance. The Oval is not a World Heritage item or on the National Heritage list, therefore it does not affect the MNES that would require EPBC referral. The design is in keeping with the listing as a Commonwealth Heritage Place and is not of an adverse impact to the site or the surrounding area.

Refer to the design statement by Archer Architects for further details.

4.4.2 Conclusion

After reviewing the self-referral triggers for the proposed ‘action’, it is not required to be referred to DCCEW for assessment under the EPBC Act. The site does not trigger any Matters of National Environmental Significance and therefore does not need to be referred.

The review of the disciplines listed in Section 4.4.1 has also detailed the zero to low impact of the proposed action on the proposed site or on the wider locality itself.

4.5 Sydney Harbour Federation Trust Planning Framework

4.5.1 Sydney Harbour Federation Trust Comprehensive Plan

The SHFT Comprehensive Plan (2003) details the Trust's Vision for the future use of seven unique sites on or near the foreshores of Sydney Harbour.

'To provide a lasting legacy for the people of Australia by helping to create one of the finest foreshore parks in the world and provide places that will greatly enrich the cultural life of the city and the nation.'

The Plan has three guiding principles:

1. Increased public access;
2. Demonstrable benefits in the context of the outcomes proposed for sites; and
3. The realisation of the Trust's financial objectives.

The proposal meets these guiding principles and provides a significant public benefit.

1. The proposal will vastly improve the public access to the sporting facility as:
 - a. It will provide a sense of arrival which is currently missing when accessing the Middle Head area by car, foot or bus.
 - b. It will open the views across the Harbour into the wider locality
 - c. Provide a new community space at the heart of the re-development.
2. The Middle Head Management Plan has been assessed against this proposal and is found to be beneficial to the local area in terms of accessibility, amenity and visual improvement.
3. This building is owned by Mosman Council and Council have a licence over the oval site. The Council will fund the construction and maintenance for this asset that can be used by the community and visitors alike who come to the Trust land. This redevelopment is fully funded by Mosman Council and will not negatively affect the financial objectives of the Trust.

Section 7 of the Comprehensive Plan provides an overview of Caba-Caba Middle Head, Georges Heights and Chowder Bay.

Figure 7.7 highlights the Oval with '*Continued use for sports and emergency helicopter landing*'. This proposal will not affect the usability of the oval for sports and helicopter purposes.

The existing amenity building is also mentioned for the Trust to '*Work with council and sporting groups to relocate and improve facilities in a manner befitting the harbour setting*'. This relocation of the amenity block will provide more modern, safe facilities that will also open the site to improved visual amenity to the wider Headland Park. Mosman Council has worked extensively with the local sporting groups to design a facility which will not only improve them for the sporting users but will better fit the Harbour landscape.

4.5.2 Middle Head Management Plan

The purpose of the Middle Head Management Plan (2017) is to guide the outcomes proposed in the Harbour Trust's Comprehensive Plan and to satisfy the requirements of Schedule 7A of the EPBC (*Environment Protection and Biodiversity Conservation Act 1999*) Regulations, 2000.

The Middle Head Management Plan was adopted by the SHFT in 2007 and has been amended twice in 2014 and 2017.

Relevant sections of the Management Plan have been responded to below for ease of assessment. There the management plan provides large amounts of text; in some cases this text has been summarised to relevant sections for ease of response.

Table 5 Middle Head Management Plan and response

Middle Head Management Plan	Development Response
1.2. Land to which the Management Plan Applies	
The land covered by the Management Plan is shown by broken black edging on the plan at Figure 1. All of the land is included within Lot 203 DP 1022020 and part of Lot 202 DP 1022020 and is in the ownership of the Sydney Harbour Federation Trust.	<p>The site is located at the edge of Middle Head Oval and is located in Figure 1 within the Middle Head Management Plan.</p> <p>The site is on a licence for Mosman Council.</p>
2. Aims of this plan	
The aims of this Management Plan are to: Conserve and interpret the Commonwealth Heritage values of Middle Head;	<p>The current building has no heritage values. The proposed building will enhance the natural values of the location.</p> <p>The site is located within a Commonwealth Heritage Place- Defence Site – Georges Height and Middle Head (Historic Place No. 105541) and the proposed kerb of the drop off bay is on the boundary of Military Road Framework – Defence Land (Historic Place No. 105575). Although do not engender a negative impact on the heritage values of the listing place.</p>
Maximise public access;	The new amenity building will enhance public access and be an inviting entrance to the Middle Head Oval and surrounds
Facilitate the adaptive re-use of the precinct's buildings for appropriate uses; and	<p>The current building is not fit for adaptive reuse and has been identified as not fit for purpose and undesirable of its location at the entre point to the Middle Head area. The site is not a precinct building in the service of the Military use. It was built in the 1970's and has no context to the overall Trust buildings. It cannot be re-used, and it should be redeveloped to be fit for future purposes.</p> <p>The existing tiered seating will remain but will have its useability enhanced by constructing a new undercover shelter.</p>

Middle Head Management Plan	Development Response
Integrate the precinct with adjoining lands as part of a unified Headland Park and network of open space in collaboration with the NSW National Parks and Wildlife Service (NPWS).	This development proposal will not segment the precinct and is not open space under the purview of the NSW NPWS
In doing this it also aims to: Be consistent with Commonwealth Heritage Management Principles;	The current building has no heritage values. The proposed building and landscaping will enhance the natural values of the location. The site is located within a Commonwealth Heritage Place- Defence Site – Georges Height and Middle Head (Historic Place No. 105541) and the proposed kerb of the drop off bay is on the boundary of Military Road Framework – Defence Land (Historic Place No. 105575). Although do not engender a negative impact on the heritage values of the listing place.
Conserve and interpret the whole site as an historic precinct;	The existing building and oval are not of heritage value, but the upgrade to the proposed amenity building will create a sense of arrival into the Middle Head locality. The site is located within a Commonwealth Heritage Place- Defence Site – Georges Height and Middle Head (Historic Place No. 105541) and the proposed kerb of the drop off bay is on the boundary of Military Road Framework – Defence Land (Historic Place No. 105575).. Although do not engender a negative impact on the heritage values of the listing place.
Provide opportunities and site interpretation for visitors to understand and appreciate the totality of the site's heritage;	The existing building has no heritage values. The proposed building will enhance the natural values of the location.
Encourage uses and activities that promote the use of sustainable modes of transport and ensure that traffic generated by the site's re-use has a minimal impact on the surrounding residential areas;	The site access will be improved to encourage movement via sustainable modes of travel. It will enhance the pedestrian experience by providing accessible paths throughout the site area and a drop off area addressing current constraints at the site.
Provide visitor facilities and amenities including parking and walking tracks;	This development proposal aims to provide a new community facility with a BBQ area and landscaped area including an undercover shelter over the existing tiered seating. New accessible paths will allow for pedestrians to traverse the site easily and safely.
Realise the potential for easy access including access for the disabled;	New accessible paths and a new drop off area will allow for pedestrians to traverse the site easily and safely.
Regenerate and expand the bushland so that the sense of a 'green' gateway to Sydney Harbour is reinforced;	The development of a new community space will provide a sense of arrival and create a gateway into the locality.

Middle Head Management Plan	Development Response
Enhance views to and from the precinct;	The upgrade to the proposed amenity building will create a sense of arrival into the Middle Head locality. The proposal will also allow a better view across the oval towards the headlands from the entrance into Middle Head.
Remediate site contamination and hazardous materials;	Refer to the PSI prepared by Tetra Tech Coffey submitted with this application.
Protect adjacent bushland from the spread of <i>Phytophthora cinnamomi</i>	Works will be undertaken in relation to the Trust's Phytophthora Management Strategy.
Improve the quality of stormwater runoff; and	The new amenity building design will allow for new WSUD measures to be implemented into the locality. These measures such as new drains, silt trap screens and an in-ground first flush clean out pit to improve water quality. Please refer to the civil plans prepared by JHA.
Apply the principles of Ecologically Sustainable Development (ESD).	ESD is defined as: <i>Development that meets the needs of present generations while not compromising the ability of future generations to also meet their needs.</i> The Architect's Design Report and Consultant Reports that accompany this application illustrate how the proposal incorporates the principles of ESD.
3. Relationship with the Harbour Trust's Plans and Policies	
3.1 Comprehensive Plan	This proposal is consistent with the Comprehensive Plan in particular the <i>Outcomes</i> identified in Part 7 of the Harbour Trust's Comprehensive Plan and the <i>Objectives and Policies</i> in Part 3.
3.2 Relationship with other Trust Management Plans.	This proposal is consistent with the Middle Head Management Plan.
3.3 Related Policies and Guidelines	This proposal has been designed with all relevant policies.
4. Relationship with the Headland Park Design Framework	
<p>4.2 Streets and Paths</p> <p>The access network needs to provide clear and convenient access to and through the Headland Park. Each of the elements of the network will be designed to reflect its role and function, and the desire to create an unfolding sequence of experiences in response to the environment it passes through. The network consists of the following elements:</p> <ul style="list-style-type: none"> - The approach roads adjoining and leading into the park – Middle Head Road, Chowder Bay Road and Suakin Drive; - Internal streets and laneways within each precinct (within the former bases); 	<p>This development will achieve the requirements of this section of the management plan.</p> <p>The proposal will provide accessible pathways throughout the site and will connect to the pedestrian pathways already located on the western portion of Middle Head Road next to the bus stop.</p> <p>The site will also allow cars to drive safely to a drop off zone to the south of the site and safely take pedestrians to the site without blocking Middle Head Road.</p> <p>There will be a full continuation of access down Middle Head Road through new on site pedestrian paths to the headland through the connection to established pathways.</p>

Middle Head Management Plan	Development Response
<ul style="list-style-type: none"> - A major pathway circuit around the Oval, ASOPA and 10 Terminal that provides access for people with all levels of mobility and that links the significant public places, features and landmarks, the entry roads, car parks and local neighbourhood; - A minor pathway network providing more variety, intimacy and seclusion, and access for able-bodied walkers to limited areas within the bushland; and - The car parks and bus set down areas. <p>Middle Head Road descends down the ridge to the plateau and provides the only direct road access to the precinct. The continuity of the road leading towards the headland is important to retain.</p> <p>There is a strong sense of arrival to the precinct, however improvements can be made to enhance this arrival. These improvements include remodelling the intersection, landscaping the car parks, and providing continuous pedestrian access along Middle Head Road.</p>	<p>This development will improve upon the strong sense of arrival to Midde Head with the opening of the view pathway across the harbour into Manly.</p>
<p>4.3. Entries</p> <p>It is proposed that there will be numerous 'Entry Points' in the Headland Park so that access opportunities are maximised and dispersed. This will accommodate people arriving from many different directions and by different modes of travel and will avoid concentrations of visitors.</p> <p>Entries in the public domain will not usually be built structures. Rather, they will be spaces that serve as an entry and do not need to be given strong emphasis.</p>	<p>The proposed development will create an open, visual emphasis through the community space as the entry to the Oval at the roundabout. It will allow people arriving from many different directions to see across the Harbour which is currently cut off from view.</p>
<p>4.4. Significant Public Places</p> <p>The Headland Park will have a range of public spaces offering a diversity of activities. These will include:</p> <ul style="list-style-type: none"> - Passive recreational areas for picnics and social relaxation; - Areas for community sporting activities; - Places of contemplation within a bushland setting or on the escarpment with spectacular views; and - Small civic spaces defined by former defence buildings for community gatherings or simply watching the passers by. <p>They will form a series of experiences connected by the main pathway network. All of these spaces are located and chosen to enhance an understanding and appreciation of the natural environment and the succession of historical uses.</p>	<p>The amenity building will provide for a diverse range of public spaces including toilets, communal space, spectator stands while maintaining and enhancing accessibility to spectacular views.</p> <p>These spaces proposed will be connected through accessible pathways for pedestrians and are specifically designed and located to enhance and to better appreciate the natural environment.</p>

Middle Head Management Plan	Development Response
5. Planning Context	
<p>5.1 Statutory Plans- <i>Commonwealth Legislation</i></p> <p>All 'actions' on Trust land, undertaken by either the Harbour Trust or on behalf of the Harbour Trust, are controlled by the Environment Protection and Biodiversity Conservation (EPBC) Act 1999 as amended.</p> <p>Section 26 of the EPBC Act protects all aspects of the environment on Trust land from actions taken either on the Harbour Trust's land or on adjoining land that may have a significant impact on it, while Section 28 protects the environment from any actions of the Harbour Trust, that may have a significant impact. The environment is defined to include:</p> <ul style="list-style-type: none"> (a) ecosystems and their constituent parts, including people and communities; and (b) natural and physical resources; and (c) the qualities and characteristics of locations, places and areas; and (d) heritage values of places; and (e) the social, economic and cultural aspects of the matters mentioned in (a), (b) or (c) above 	<p>Please refer to Section 3.4 within this report. This application is supported by a Statement of Heritage Impact prepared by Heritage 21.</p> <p>None of the proposed works will cause a significant impact to the locality.</p>
<p>8.3 Archaeological Assessment</p> <p>In February 2006 Australian Museum Business Services (AMBS) prepared an addendum to their 2004 Archaeological Survey of Trust lands at Middle Head, Georges Heights and Chowder Bay.</p> <p>The area covered by the 2006 survey included the former Golf Clubhouse, the ASOPA buildings, the 10 Terminal buildings and Middle Head Oval.</p> <p>The archaeological survey found no Aboriginal sites or objects: given the disturbed nature of the area it is very unlikely that Aboriginal cultural material would have survived the past development of the site.</p> <p>The report concluded that no additional archaeological survey of the property was necessary or warranted. However, due to the possible existence of sub-surface remains, where future earthworks occur, monitoring and detailed recording should be conducted by a qualified archaeologist. This policy will also ensure the protection of any non-Aboriginal archaeological material that may be present.</p>	<p>The Middle Head Management Plan concluded there are no aboriginal sites of objects, therefore no further aboriginal studies have been undertaken or are they required.</p> <p>An unexpected finds protocol will be used during construction. This will follow the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales as required.</p>
<p>9.1 Landscape Character</p> <p>Middle Head is at the culmination of the sequence of knolls along the ridge, winding its way to the cliffs overlooking the main waterways at the entrance of the harbour. It forms part of the gateway to Middle Harbour from land and water.</p>	<p>The proposed amenity building will enhance the statement that this area is the gateway to Middle Head by allowing visitors their first glimpse to Dobroyd Head and beyond through the newly located amenity building.</p>
9.2 Bushland and Natural Values	<p>No development is proposed that will affect the bushland near the northern slopes of the Oval. The proposal site will not affect either of the</p>

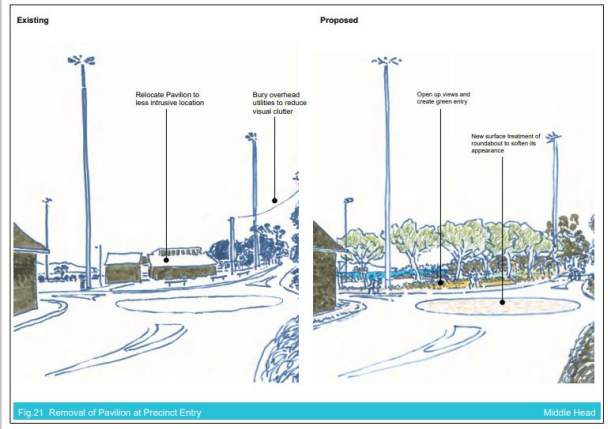

Middle Head Management Plan	Development Response
<p>There are two main sections of bushland remaining within the Middle Head precinct, as follows:</p> <p>The area along the eastern edge of Middle Head Road between the Lower Georges Heights precinct and the Mosman Golf Club House, supports the <i>Angophora costata</i> / <i>Eucalyptus botryoides</i> (Open Forest) vegetation community, and further down the slope supports the <i>Eucalyptus botryoides</i> (Open Forest) vegetation community.</p> <p>The northern slopes of Middle Head Oval and the Barracks buildings support the <i>Glochidion ferdinandi</i> (Closed Scrub / Tall Shrubland) vegetation community and the <i>Eucalyptus botryoides</i> (Open Forest) vegetation community.</p> <p>The two vegetation communities supported on the northern slopes of Middle Head Oval and north of the 2-storey Barracks buildings contain a moderate to low species diversity with moderate to severe weed incursions. Due to the relatively small size of this bushland area, weed management activities should prove successful in this area.</p> <p>The future use of the site must maintain and / or improve the existing two main bush corridors so that the transfer of genetic material of both the flora and fauna is maintained.</p>	<p>bushland communities listed within this section of the Management Plan.</p>
<p>9.4 Bushfire Risk</p> <p>In 2016, a bushfire management plan was created for The Trust. It describes the recommended strategies for the Harbour Trust to implement to meet its fire management obligations up to 2021. The Draft Plan identifies a program for a mosaic fire regime across Headland Park, to reduce the risk of unplanned wildfire and to promote biodiversity. This program will be implemented in collaboration with NPWS and NSW Fire and Rescue. Recent burns include those at Land Management Zones ('Cobblers Track') in 2014 and Middle Head Road in 2016.</p> <p>The Harbour Trust will engage specialist consultants to undertake a review of the Bushfire Management Plan which will provide updated recommendations, as required.</p>	<p>The site is located within a designated bush fire prone area.</p> <p>A bushfire report has been provided with this application- this report concludes '<i>This assessment has demonstrated that the proposed redevelopment of the amenities can comply with Planning for Bush Fire Protection 2019.</i>'</p> <p>The Harbour Trust is the management authority with bushfire management and the management of the Oval will ensure consistency with all bushfire plans that the Trust have and will have.</p>
<p>9.5 Stormwater</p> <p>The main objectives set out in the stormwater plan are to protect and enhance the existing environment by means of water sensitive design principles such as source controls, conveyance controls and discharge controls</p>	<p>The Middle Head Oval drains to the north from stormwater outlets through bushland on Harbour Trust Land. This development will not affect the current stormwater flows north.</p> <p>The civil plans prepared by JHA provide more information in relation to the proposed drainage for the development.</p>
<p>9.6. Site Contamination</p> <p>Site Investigations were undertaken in 1999 and remediated by Defence in 2003. A site audit was undertaken in 2005, and the Harbour Trust undertook</p>	<p>The PSI by Tetra Tech Coffey states 'The site has not been listed on any public registers in relation to contamination.'</p>

Middle Head Management Plan	Development Response
rehabilitation of the ASOPA buildings, former Golf Club House and car parking areas at Middle Head. Known contamination has been removed or safely treated and capped in situ.	Remediation/management of hydrocarbon impacted soil (and asbestos if present) is readily achievable. This item can be dealt with through conditions of consent. Prior to building works starting, further investigation of the southern portion of the site would be required, and an asbestos management plan will be undertaken.
<p>9.7. Hazardous Materials</p> <p>In 2007, a detailed hazardous materials survey was carried out for buildings and structures remaining at Middle Head. As part of the Harbour Trust's works to refurbish ASOPA buildings, all hazardous materials were removed by the Contractor.</p> <p>In 2013, a Hazardous Building Materials Survey Report was undertaken for Headland Park, including Middle Head.</p> <p>The Harbour Trust will undertake hazardous materials survey, removal and abatement programs prior to building refurbishment or demolition.</p> <p>Any known remaining hazardous materials at Middle Head will be managed in accordance with the hazardous materials register and management plan prepared for the site.</p>	<p>All demolition proposed on site will be undertaken within the relevant Australian standard and will be disposed of as required.</p> <p>The Asbestos and Hazardous Materials Pre-Demolition Assessment by Tetra Tech Colley found low risk Asbestos Containing Materials (both Friable and Non-Friable) and Very low risk Synthetic Mineral Fibres.</p> <p>The following recommendations were given: <i>'Prior to any demolition, partial demolition, renovation or refurbishment, ACM likely to be disturbed by those works should be removed in accordance with relevant codes of practices, compliance codes and legislation.'</i> AND <i>'SMF materials that are likely to be disturbed during any proposed demolition/refurbishment works should be handled in accordance with The National Code of Practice for the Safe Use of Synthetic Mineral Fibres [NOHSC:2006(1990)].'</i></p> <p>An asbestos clearance certificate by ADE Consulting Group was provided as Appendix K to the PSI dated the 7th of May 2024. This states <i>'The inspection revealed no visible or accessible asbestos remaining within the subject area at the time of inspection.'</i></p>
<p>9.8. Services</p> <p>In March 2002 PPK Consulting undertook a detailed survey of the site in order to establish the extent and condition of site services. The study examined the condition of water, fire services, electricity, telecommunications, sewerage, stormwater, gas and fuel services. PPK advised that upgrades would be required for all major services to the precinct.</p> <p>As part of the refurbishment of each of the buildings in the Middle Head Precinct, the Harbour Trust is upgrading all services required to meet tenant and visitor needs. All upgrades will be undertaken in such a way that supplies to existing tenants, as well as NSW National Parks and Wildlife Service and HMAS Penguin are not adversely affected.</p>	<p>No existing tenants will be adversely affected by these works.</p> <p>Existing services supplying NSW National Parks and Wildlife and HMAS Penguin will not be affected by the proposed works. Precinct wide services upgrades are not proposed. Furthermore, incoming services relocations will be kept to a minimum which will limit any disruption.</p>

Middle Head Management Plan	Development Response
<p>9.9. Compliance with the National Construction Code (NCC)</p>	<p>The development has been designed in accordance with the NCC of Australia.</p> <p>Please refer to the report provided with this application prepared by Design Confidence which states:</p> <p><i>'Based upon our assessment to date we are of the opinion that the subject development is capable of achieving compliance with the performance provisions of the BCA, by complying with the prescriptive requirements.'</i></p>
<p>9.10. Transport Management</p> <p>There have been multiple Traffic Management plans undertaken by the Trust.</p> <p>The TMP's identify measures to minimise reliance on access by private motor vehicles and to maximise access by public transport, walking and cycling.</p> <p>The car parks in the Middle Head precinct also provide parking for visitors to the adjoining Sydney Harbour National Park as well as park and ride where a shuttle bus is used to and from the Chowder Bay function centre.</p> <p>The Harbour Trust will continue to monitor traffic generation and parking demand across Headland Park.</p>	<p>Refer to the traffic report provided with this application. The summary states:</p> <ul style="list-style-type: none"> • Anticipated traffic impact to Middle Head Road and the surrounding road network is negligible with the proposed development being ancillary to the existing use of the oval and therefore not expected to generate additional traffic. • Proposed development does not require additional parking spaces. • Service vehicle access will be improved and will remain at its current location at Penguin Close. • Proposed service vehicle access design complies with AS 2890.1. • Proposed drop off zone complies with AS 2890.5. • Refuse collection will continue to occur on-street. • Proposed development is within 50m to a bus stop.
10. Outcomes	
<p>The precinct will form part of the sequence of civic, village-like places along the plateau enveloped by bushland and connected by pathways integrating the Headland Park. The primary objectives for the Middle Head precinct are to:</p>	<p>The proposed development is located within the heart of the Middle Head entry precinct.</p> <p>The proposed development builds upon or incorporates many of the objectives of the precinct.</p>
<ul style="list-style-type: none"> • To work collaboratively with NPWS in the coordinated management of the whole headland. 	<p>The site does not hinder the Trust in their ability to work with NPWS to manage the headland.</p>
<ul style="list-style-type: none"> • Improve access to and through the precinct by providing pathways and parking areas 	<p>The proposed development will provide more accessible pathways and make the amenity block accessible where currently it is not.</p>
<ul style="list-style-type: none"> • Adaptively re-use the buildings of ASOPA and 10 Terminal in a manner that retains and conveys their heritage values and contributes positively to the experience of visitors to the Headland Park 	<p>Not applicable as the site is not the ASOPA or 10 Terminal Buildings.</p>
<ul style="list-style-type: none"> • Allow some buildings to be modified or removed 	<p>This objective allows for the existing building to be removed to allow for the amenity building.</p>

Middle Head Management Plan	Development Response
<ul style="list-style-type: none"> • Allow some sensitively designed new infill buildings and a replacement Oval pavilion building. 	<p>This development is sensitively designed to open the views up across the harbour for visitors to the Headland and allow their first glimpse to the spectacular views ahead.</p> <p>This amenity building will renew/replace the current Oval building.</p>
<ul style="list-style-type: none"> • Find uses for the buildings that help their conservation and that are sympathetic to their simple, institutional form and the need to open up the site to the public 	<p>The new amenity building will open the site to the public in a visually focused way.</p>
<ul style="list-style-type: none"> • Ensure new uses achieve compliance with relevant building standards and bushfire regulations 	<p>Please refer to the BCA and Bushfire reports submitted with this application. This development has been designed to the relevant Australian building and bushfire standards/regulations.</p>
<ul style="list-style-type: none"> • Retain the existing pattern of development of the former bases to help form the basis of the public access and circulation network. This will be further enhanced by some additional pathways that will help to integrate with the adjacent National Park 	<p>Not Applicable.</p> <p>This work does not affect the pattern of development of the former bases.</p>
<ul style="list-style-type: none"> • Continue use of the Oval as a sports recreation facility 	<p>The new amenity building will continue and enhance the usability of the Oval.</p>
<ul style="list-style-type: none"> • Retain the institutional, garden-like character of the landscape 	<p>The landscape plans provide for a strong garden like character for the site. The sunken meadow in the centre of the site allows for a useable community area while balancing safety and visual amenities of the site.</p>
<ul style="list-style-type: none"> • Protect and expand the bushland areas around the periphery up to a new circuit pathway, which will also provide a means of controlling run-off from the lawns and gardens 	<p>The proposed landscaping will allow the view across the harbour to be opened and seen by locals and visitors alike. The current bushland areas will be protected and untouched by this development proposal.</p> <p>The site will have new drainage systems installed to capture and retain rainwater while also ensuring the Oval remains useable.</p> <p>Please refer to the landscape plans provided with this application.</p>
<ul style="list-style-type: none"> • Selectively remove some of the less significant landscape elements within the former bases to reveal views of the surrounding waterways and headlands, and to improve the clarity of the setting of each of the elements that make up the site and its history: the fortifications, the barracks, ASOPA, and the Golf Clubhouse. 	<p>This development will reveal the views across the Oval and the harbour and will mark the entrance to the Headlands through the proposed landscaping.</p>
<p>10.2 Access and Circulation</p> <p>Pathways</p> <p>The internal street, path and track pattern will be retained as it is an important characteristic of the former base. Additional paths and tracks within the precinct will link the established internal network to the surrounding areas. The Harbour Trust will</p>	<p>This development will provide more accessible pathways through the site, improving the pedestrian access to the amenity building and the wider network.</p> <p>Please refer to the landscape, architectural and civil plans submitted with this application for further detail in relation to pathways.</p>

Middle Head Management Plan	Development Response
<p>continue to work together with NPWS and Mosman Council to create an integrated network of paths on the headland.</p>	
<p>Figure 17. Concept Masterplan- Public Domain Improvements</p>  <p>Fig.17 Concept Masterplan - Public Domain Improvements</p>	<p>This SHFT concept masterplan highlights two options to improve the public domain.</p> <p>Number 1 is to Open up views/relandscape at the current Pavilion site and number 5 is to provide new paths/links around the Oval.</p> <p>This proposal will open the view sightlines across the oval and across to Manly it will also provide for new pathways at the southern end of the oval and will open the views across the oval towards Dobroyd Head.</p> <p>The new community space will allow for a new landscaped area for the site.</p> <p>The landscaping area provides a central lawn that can be used in a variety of ways with seating areas.</p> 
<p>10.3 Buildings and Uses</p> <p><i>Middle Head Oval, Pavilion & Guardhouse</i></p> <p>The Pavilion is a visually intrusive element, as it obstructs views to Middle Harbour when entering the precinct along the roadways. The possibility of removing the Pavilion will be explored with Mosman Council and local sporting groups, subject to establishing replacement facilities in a less visually intrusive location on the eastern side of the Oval. A possible site for a new building to house the pavilion, amenities and possible visitors' centre, could be on</p>	<p>The current building is a visually intrusive element blocking the current views across the Oval to the Harbour beyond.</p> <p>Significant design evaluation was undertaken to determine the optimum location for a new amenity building while balancing the requirements of sustainability and without minimising the views across the water.</p> <p>The building is best placed to be located off Penguin Close to the west of the current location</p>

Middle Head Management Plan	Development Response
<p>the location of the existing Guardhouse, which may be removed. However the Guardhouse is now home to a café that provides much valued life and amenity to the precinct.</p> <p>One possible alternative could be to relocate the pavilion to the site (or approximate location) of the barracks building closest to the oval, which could be either adapted or replaced. There is the potential to co-locate the café with this new sports pavilion, allowing the Guardhouse to be removed. See below and Figure 21.</p> <p>In 2016, oval floodlighting was upgraded to allow for competition-Level sports, while also significantly reducing light spillage and glare.</p>	<p>as the levels of the site are similar to allow for easier building of the site.</p> <p>The proposed location of the amenities building and spectator shading structure allows for the integration of a number of objectives from the Middle Head Master Plan and Management Plan, such as the Plateau Headland Loop Walk and drop off zone, should they be implemented by the Harbour Trust.</p> <p>The site is already disturbed on the southwestern position of the Oval and a new facility within the existing footprint would be more sustainable than creating a new site footprint across the oval. The option of moving the existing building to the barracks or across the Oval has been developed and the proposed location for the amenity building is optimal for the design, visual amenity and useability of the site.</p> <p>The cafe at the guardhouse is not part of this application.</p>
<p>Figure 21</p>  <p>Fig 21 Removal of Pavilion at Precinct Entry</p>	
<p>10.5 Water Sensitive Urban Design</p> <p>The principles of Water Sensitive Urban Design (WSUD) are to be incorporated into the redevelopment of the Middle Head Precinct to achieve water quality, water conservation and ecological objectives.</p>	<p>The new amenity building design will allow for new WSUD measures to be implemented into the locality. These measures such as new drains, silt trap screens and an in-ground first flush clean out pit to improve water quality. Please refer to the civil plans prepared by JHA.</p>
<p>10.8 Interpretation</p> <p>The Harbour Trust will ensure that future uses of Middle Head, its buildings, the creation and design of public spaces, and the development of activities and materials for the public will combine to convey the totality of the site's significant values and its context and setting as part of Headland Park.</p>	<p>The redevelopment of the amenity building will allow for the view across the oval and into the Harbour to be the focus of the Headland Park. It will be the invitation to visitors and locals into the area and will increase people's willingness to dwell in the locality.</p>
<p>10.9 Implementation</p> <p>The Implementation and Action Plan summarises the outcomes to be achieved through the implementation of the Management Plan.</p>	

Middle Head Management Plan	Development Response
Public Domain Improved public access Provide and/or upgrade on-site services for public domain areas: including facilities such as toilets, parking, disabled parking, lighting, children's play facilities and picnic areas	The proposed amenity building provides two change rooms, with toilets and showers, a Kiosk, Store, Utilities closet Umpire office and an Admin/first aid room. The development will also provide public amenities of toilets hand washing basin and a bubbler. There will also be proposed bins located in a central area to maintain the cleanliness of the site. A drop of zone and bicycle parking is also proposed on the eastern side of the area.
Building Uses, adaptive reuse, building removal and new building Works to enable use/leasing of buildings Work with Mosman Council and local sporting groups to relocate the pavilion to provide improved facilities and improve views.- High Priority	This is a high priority item for the Trust and Mosman Council. This proposal provides for high quality change facilities for sporting clubs and greatly improved public amenities for visitors and locals alike. The removal of the current building will open up the site to beautiful views across the Oval and the Harbour beyond. This will further strengthen the sense of arrival into the Headland Park.
11. Future Actions 11.2. Unforeseen Archaeological Discoveries Archaeology includes: buildings, structures, objects and relics, landscapes and other remains, both above and below the ground. All of these items have enormous potential to contribute to our knowledge of the place by revealing information about how people lived and worked there. All relics are protected by Commonwealth legislation and the intentional uncovering of relics, without a permit, is forbidden. Appropriate provisions will be included, in leases for the site and in any contracts for works to be undertaken, requiring that in the event that relics are unintentionally uncovered, work must cease in the area where the relics were found and the Harbour Trust immediately informed.	If any items are found, the works will stop, and all found items will be dealt with in accordance with the Middle head Management Plan.

4.5.3 Middle Head/Gubbah Gubbah Master Plan

The Middle Head/Gubbah Gubbah Master Plan is one of three master plans created and consulted on with the community in 2023, the others being North Head Sanctuary and Cockatoo Island / Wareamah. This document focuses on a key part of Headland Park in Mosman, the eastern peninsula of Middle Head / Gubbah Gubbah. This Master Plan provides a detailed examination of the site's cultural and natural heritage values, its constraints and opportunities. It presents the Trusts long-term vision for this site. The Master Plan was formally adopted in December 2023. The Master plan is subordinate and consistent to the Middle Head Management Plan (Amendment 2) 2017 (Section 3.4.2 of this report).

Relevant sections of the Management Plan have been responded to below for ease of assessment. There the management plan provides large amounts of text; in some cases, this text has been summarised to relevant sections for ease of response.

Table 6 Middle Head/Gubbah Gubbah Master Plan and Development response

Middle Head/Gubbah Gubbah Master Plan	Development Response
Vision of Place	
<p>The key elements of the vision for Middle Head / Gubbah Gubbah will create a place that is:</p> <ul style="list-style-type: none"> • an iconic site and place that is established and bound by its inherent First Nations, military and natural heritage values of place • home to a headland loop path, an iconic Sydney walk • walking place, with a connected pedestrian precinct • a vibrant place, featuring sensitively activated buildings and public domain. 	<p>The proponent is aware of the iconic setting of the proposed amenity building and the new accessible path to the south of the building and drop off bay will allow integration into a possible future loop path (by the Trust).</p> <p>The development will provide a new community space to activate the entry to the headland. This space is architecturally designed and will be landscaped to create a vibrant space.</p>
1.6 Engagement, public exhibition of draft master plan, revised draft master plan and community consultation	
<p>The master plan's proposed key actions are illustrated on a precinct basis for a closer, more focused view. This helps to outline the proposed actions required to deliver the long-term vision of place.</p> <p>The key actions aim to:</p>	Refer to our responses against each key action below.
<ul style="list-style-type: none"> • achieve biodiversity gain through rehabilitation of the ecologically sensitive landscape margin zones that adjoin the national park 	Not relevant to this application. The development does not affect ecologically sensitive landscape margin zones.
<ul style="list-style-type: none"> • remove of redundant site infrastructure, derelict structures or features to reveal and enhance the historic and recreational nature of the headland 	The current amenity building is redundant and not fit for purpose. The proposed location of the new amenity building will allow for a view corridor to be created across the Oval and out onto the Harbour beyond.
<ul style="list-style-type: none"> • establish a permanent place of interpretation – an authoritative and curated home for the stories and significance of place reflecting First Nations, military and natural heritage values 	Not within the remit of this proposal.
<ul style="list-style-type: none"> • create of a primary pedestrian spine and simple network of movement that connects the site to create a singular memorable place 	This application will create a new accessible path to the south of the building and drop off bay will allow integration into a possible future loop path (by the Trust).
<ul style="list-style-type: none"> • activate of the brick barracks with appropriate uses that support and respond to the site's First Nations, military and natural heritage values 	Not relevant to this application. The development is not within the brick barracks.
<ul style="list-style-type: none"> • in detail design examine and resolve vehicle movement, safety of drop off, and bus turning at the site entry and adjacent the existing roundabout. 	An accessible path to the south of the building and drop-off bay will allow integration into a possible future loop path (by the Trust).
Key Elements	
<p>This diagram illustrates the long-term vision of place and key elements that comprise the master plan.</p> <p>2. Upgraded changing facilities at Middle Head Oval</p>	This proposed development will initiate this key element in upgrading the existing facilities at the Oval.

Middle Head/Gubbah Gubbah Master Plan	Development Response
Key Proposed Actions	
<p>This diagram illustrates the long-term vision of place and key proposed actions that comprise the master plan.</p> <p>5. Upgrade changing facilities</p>	<p>This proposed development will initiate this key Action in upgrading the existing facilities at the Oval.</p>
3.3 Statutory Heritage Significance	
<p>Archaeological assessments</p> <p>In 2004, Australian Museum Business Services (AMBS) conducted an archaeological survey of Harbour Trust lands at Middle Head / Gubbah Gubbah, Georges Heights and Chowder Bay / Gooree. This was undertaken in conjunction with NPWS and extended to areas under NPWS jurisdiction on the headland.</p> <p>AMBS found significant archaeological evidence. To maintain the protection and integrity of these fragile sites, locations and detail is not publicly available. In February 2006 the Harbour Trust engaged AMBS to prepare an addendum to the 2004 report that outlined findings of a survey of Harbour Trust land. The 2006 addendum covered the former golf clubhouse site, the former ASOPA buildings and surrounds, the buildings located on the plateau and Middle Head Oval.</p> <p>The 2006 archaeological survey found no First Nations sites or objects. Given the disturbed nature of the area, the survey found it is unlikely that First Nations cultural material would have survived past development.</p> <p>It concluded that no additional archaeological survey of this area of the site was necessary or warranted. However, due to the possible existence of subsurface remains, any future earthworks will require monitoring and detailed recording by a qualified archaeologist to protect archaeological material that may be present.</p>	<p>The Middle Head Management Plan and Master Plan concluded there are no aboriginal sites of objects, therefore no further aboriginal studies have been undertaken or are they required.</p> <p>An unexpected finds protocol will be used during construction. This will follow the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales as required.</p>
<p>3.4 Principles of the Middle Head Management Plan</p>	<p>The relevant sections of the Management Plan are responded to in Section 3.4.2 of this report.</p>
3.5 Existing conditions analysis	
<p>In analysing existing conditions, this section describes current uses within the context of future site planning. The key actions and design response both contribute to addressing these fractures.</p> <p>1. Consideration of site arrival sequence with upgraded changing facilities</p> <p>2. Lack of pedestrian safety, amenity and continuity</p>	<p>Refer to the response below in relation to these fractures.</p>
<p>1. Consideration of site arrival sequence with upgraded changing facilities</p> <p>The previously proposed relocation of the changing facilities, within the initial draft master plan (March 2023) reflected the intent of the 2003 Comprehensive</p>	<p>This proposal maintains the current location of the changing facility while providing a new sense of arrival into the precinct.</p> <p>By moving the amenity building itself to the west of the current building, the new community space</p>

Middle Head/Gubbah Gubbah Master Plan	Development Response
<p>Plan. It also aimed to improve the oval facility. The Harbour Trust collaborated with Mosman Council to explore potential new locations for a replacement changing facilities, but none of these were viable. The master plan determines that facility remains in its current location and may be upgraded to improve facilities.</p>	<p>can create a strong sense of arrival into the precinct. The tiered seating will be retained with a new all-weather covering to be erected to increase the useability of the area to visitors, tourists and oval users alike.</p>
<p>2. Lack of pedestrian safety, amenity and continuity The site is spatially constrained with limited pedestrian amenity or clear continuity. Beyond the roundabout, Middle Head Road connects vehicles with a sequence of car parks but is largely a dead end at the eastern-end of the NPWS gate. Pedestrians typically use the road as the footpath as there is little evident alternative. The site edges have limited pedestrian connectivity. As the site is largely dormant this current condition is possibly acceptable. With future site activation and more site use, this condition is not considered acceptable. The new NPWS loop walking track around the headland is considered relevant to this issue.</p>	<p>This application will create a new accessible path to the south of the building and drop off bay to the east will ensure a higher degree of pedestrian safety and minimise conflict with the multiple users of the Headland.</p> <p>These works will integrate with the proposed headland loop (not part of this proposal).</p>
3.6 Existing transport network constraints	
<p>Key challenges to be addressed include:</p> <ul style="list-style-type: none"> • poor sense of arrival to the precinct • lack of dedicated drop-off area for Middle Head Oval users and vehicles • proximity of entries to car parks 1 and 2 • peak vehicle demand conflicts between HMAS Penguin and oval users • pedestrian safety at road crossings around the roundabout • Environmental Education Centre student excursions and bus drop-off/pick-up requirements 	<p>This proposal addresses several of the key challenges:</p> <ul style="list-style-type: none"> • The reconfiguration of the building and the introduction of a new communal space will create a new sense of arrival to the precinct • The proposal will provide a dedicated drop off bay to the east of the site • Not relevant to this proposal. The proposed drop off bay is not in conflict with parking entries. • The new drop off bay will separate users of the oval away from the HMAS Penguin entry way • The new accessible pathway to the south of the building and community space will allow for safer crossings around the roundabout. • Not relevant to this proposal.
<p>Existing conditions Vehicle access and entry conditions The current entry condition at the roundabout is a key area of tension between vehicular traffic involving HMAS Penguin, Middle Head Oval users, ASOPA tenants, Harbour Trust employees and patrons and visitors to the area and the national park.</p> <p>Key challenges to be addressed include:</p> <ul style="list-style-type: none"> • poor sense of arrival to the precinct • lack of dedicated drop-off area for Middle Head Oval users and vehicles 	<p>This proposal maintains the current location of the changing facility while providing a new, strong sense of arrival into the precinct.</p> <p>The new drop off bay will separate users of the oval away from the HMAS Penguin entry way in response to this key challenge.</p>
<p>Walking and cycling Key challenges include:</p>	<p>This application will create a new accessible path to the south of the building and drop off bay to</p>

Middle Head/Gubbah Gubbah Master Plan	Development Response
<ul style="list-style-type: none"> • current and future pedestrian desire lines • pedestrian and cycling linkages between surrounding areas, access points, car parks and key buildings • pedestrian safety on Middle Head Road (east of the roundabout) • integration with the new NPWS walking track that links Middle Head / Gubbah Gubbah and Georges Head. 	<p>the east will ensure a higher degree of pedestrian safety and minimise conflict with the multiple users of the Headland.</p> <p>There will be bike parking throughout the area to encourage active travel.</p> <p>These works will integrate with the proposed headland loop (not part of this proposal).</p>
<p>Car Parking</p> <p>Key challenges include increased parking requirements and activation of the brick barracks. Reconfiguring the precinct to a walking place will require:</p> <ul style="list-style-type: none"> • an increase in parking requirements for events and activations users • access for all users, regardless of ability • increased access and parking requirements for the planned Environmental Education Centre • increased parking requirements for walkers. 	<p>The redevelopment of the existing amenity building does not increase the existing demand of the oval and will not change the parking requirements. Refer to the traffic report for more detail.</p>
3.7 Existing uses and users	
<p>2. Middle Head Oval</p> <p>The oval and change facilities are used on a daily, year-round basis.</p> <p>During the summer season (October to March), the oval is used less frequently than in the winter season. During summer, the oval is used for school holiday camps and used regularly Monday to Friday by HMAS Penguin's physical education department. The oval is used during the summer season for some Mosman Football Club bookings/ games during weekdays/weekends and for winter pre-season bookings. During the winter season (April to end of August) the oval is heavily used Monday through to Sunday. On Saturdays during the winter season, the oval is used from 8am to 5pm by Mosman Football Club for weekend competitions for juniors and seniors. Juniors usually use the oval in the morning from 8am to 1pm and the seniors use the oval in the afternoon from 1pm to 5pm.</p> <p>Additionally, HMAS Penguin utilises the oval for helicopter operations or Department of Defence training, which is coordinated with the Harbour Trust and Mosman Council.</p>	<p>The proposal will not affect the useability of the Oval. This will be enhanced with the redevelopment of the amenity building.</p> <p>The development will provide safe, inclusive, accessible, dedicated and legible changing rooms for users of the Oval and will also provide public amenities which are not in conflict with the changing rooms/kiosk etc.</p>
3.8 Ecological analysis	

Middle Head/Gubbah Gubbah Master Plan	Development Response
<p>Two independent ecology studies supporting the master plan outline implications, constraints and management issues that must be considered in future design, development actions and landscape management within the context of the National Biodiversity Strategy and Action Plan.</p> <ul style="list-style-type: none"> • Low constraint area: Potential for future development with appropriate environmental assessments. - cleared land and hardstand - urban exotic/native landscaping. 	<p>The Oval has been highlighted as a low constraint area within the Master Plan.</p> <p>Refer to the biodiversity report submitted with this application.</p>
3.9 Bushfire	
<p>The subject site and surrounds are identified as bushfire-prone lands.</p> <p>Vulnerability of use and occupants</p> <p>Middle Head Oval provides a refuge area that could be utilised by a large number of people as a worst-case scenario, acting under instruction from emergency services</p>	<p>Refer to the bushfire report submitted with this application.</p> <p>The Oval will not be augmented with this application and can still be used as a refuge area if required by Emergency Services.</p>
3.11 Key considerations	
<p>A number of opportunities and constraints have been identified to establish master plan considerations to guide future design</p>	<p>Refer to the response to these items below.</p>
<p>Built form and landscape</p> <ul style="list-style-type: none"> • Heritage constraints on the existing buildings may inhibit further building upgrades to reduce bushfire risk and exposure. <p>The changing facilities could be relocated to allow views to the sky and water and open up the site to a welcoming atmosphere</p>	<p>Refer to the heritage report submitted with this application, although the current amenities building has no heritage value.</p> <p>This proposal does relocate the amenity building to the west to open the site to the views across the Oval and out onto the Harbour beyond. This opening also creates a sense of arrival and welcome to the Headland.</p>
4.1 Key actions	
<p>Primary actions</p> <p>Arrive</p> <p>Currently there is limited sense of arrival or entry to place. In design phase, consideration should be given to improving safety and orientation. In design phase, examination of the entry should include vehicle and pedestrian movement.</p>	<p>This proposal does relocate the amenity building to the west to open the site to the views across the Oval and out onto the Harbour beyond. This opening also creates a sense of arrival and welcome to the Headland.</p> <p>The design iteration included examination of a sense of arrival with pedestrians and vehicles and this was incorporated into the final design.</p>
<p>Walk</p> <p>The site could be reconfigured and altered from 'a car place' to 'a walking place'. This is in response to two key parameters.</p> <p>Firstly, the site is spatially highly constrained. Middle Head Road currently connects a roundabout with a sequence of car parks but is largely a dead end at the eastern end where the NPWS gate is located. The result is that cars and car parks dominate the</p>	<p>This proposal does relocate the amenity building to the west to open the site to the views across the Oval and out onto the Harbour beyond. This opening also creates a sense of arrival and welcome to the Headland.</p> <p>This development will make the new community space and the oval as the focus for arrivals into the Headland.</p>

Middle Head/Gubbah Gubbah Master Plan	Development Response
landscape. This existing condition is considered to erode the values of place. Secondly, this action stems from the First Nations concept to walk on Country. This action is further developed and illustrated within the master plan design response.	
Activate This primary action refers to future use of both the buildings and the land. Activation in the context of regeneration actions refers to bringing sustainable use and life to the site. Activation refers to future uses that support and enhance the values of place. This includes creating active and passive recreation, enabling the north side of the precinct to be conceptualised into two distinct uses – active and organised sports activity to the west, and passive, relaxed creation to the east. Activation refers to people, the visitors across a broad demographic that visit for various reasons – to work, gather, eat, walk, exercise, sit somewhere beautiful and reflect, learn, dance and enjoy. An integrated activated place, a place for people, is considered to support the core values. This action is further developed and illustrated within the master plan design response.	<p>This proposal focuses on activation and improvement of the amenity of the building. It will also open of the view corridors across the Oval.</p> <p>The organised sports will continue within the Oval and the new building will provide public amenity in the form of BBQ's, toilets, bins and bubblers.</p> <p>This community area and covered seating area will allow visitors to gather, eat, walk and exercise as they see fit amongst many more.</p>
4.3 Proposed pedestrian movement	
<p>Additional paths and tracks within the precinct will link the established internal network to the surrounding areas. The Harbour Trust will continue to work with NPWS and Mosman Council to create an integrated network of paths on the headland.</p> <p>The network of paths and tracks is intended to provide:</p> <ul style="list-style-type: none"> • diversity and choice of routes for exploring the precinct • clear linkages between the surrounding areas, access points such as bus stops and car parks and between the main attractions or features within the precinct and in adjoining areas • a circuit around the precinct linking key places and features, that is accessible for people with disabilities • easy grade access to all main places and features, although not necessarily through one continuous path due to the topography and heritage considerations • potential to discover the historic rock formation and interpretive paving relating to the site's cultural history • permeable paving and paths with native vegetation and water sensitive urban design throughout the site and parking areas • vegetation and landscaping buffer between the car park and pedestrian path • welcoming signage including cultural motifs and the site's language name - Gubbuh Gubbuh, with cultural 	<p>This application will create a new accessible path to the south of the building and drop off bay to the east will ensure a higher degree of pedestrian safety and minimise conflict with the multiple users of the Headland.</p> <p>The site provides a mix of soft and hard landscape elements to improve the WSUD of the site. Refer to the landscape plans provided with this application.</p> <p>There are a number of bike racks available for use for active transport storage.</p>

Middle Head/Gubbah Gubbah Master Plan	Development Response
<p>motifs repeats throughout the site's wayfinding mechanisms</p> <ul style="list-style-type: none"> • active transport storage. 	
4.4 Visitor experience, interpretation and events	
<p>Activation and event spaces and potential uses are outlined below.</p> <p>1. Middle Head Oval – The sporting use of Middle Head Oval is unchanged from the current condition.</p>	The Oval use will be unchanged from the current condition.
4.5 Regeneration and adaptive re-use	
<p>Remediation</p> <p>Remediation of some minor remaining lead, polycyclic aromatic hydrocarbons (PAH) or total petroleum hydrocarbons (TPH) hotspots in surface soils will be dependent on the outcome of further assessment. Testing of groundwater may also be required. Testing for residual pesticides around and under buildings will determine management requirements (e.g., by limiting access to these areas), however where buildings are to be removed these areas may require remediation. Further investigation of contaminant and remediation scope is required prior to or in early design.</p>	<p>Refer to the PSI provided with this application for further information.</p> <p>Remediation/management of hydrocarbon impacted soil (and asbestos if present) is readily achievable.</p>
<p>Public domain/landscape</p> <p>A significant amount of vegetated area has been identified to preserve the surrounding flora and fauna. The future stage will retain significant trees within the asset protection zone (APZ) and site where possible and enhancing of the natural environment and plantings areas that are possible.</p> <p>The movement through the existing vegetation will be the focus for the open space network and comprise a series of focal points where views to the sky and water and stories will be featured and told. The site provides a diverse range of recreational and social opportunities across a pedestrian-focused public domain and landscaping.</p> <p>Central to the master plan's design guidance is that the public domain reflects the heritage values of place. Design should avoid a reimagined urbanised landscape that may threaten or obscure the values with a modern overlay. In this sense the interpretation of values and the ability to tell story takes precedence over design elements or public domain 'improvement'. Design must balance limited intervention against the ability to retain and enshrine the historic nature of place.</p>	<p>The proposed community space and amenity block will improve and invigorate the public domain without affecting the bushfire asset protection zones on the site.</p> <p>Hard and soft landscaping elements are proposed throughout the site.</p> <p>Refer to the landscape plans and the design report submitted with this application for further details.</p>
4.7 The architectural design language	
<p>A covered terrace</p> <p>The free-standing canopy above the terrace mimics the other simple, minimalistic and light touches</p>	While not relevant to the Oval site, this item highlights the similarity of the design of the

Middle Head/Gubbah Gubbah Master Plan	Development Response
<p>applied around the site. Here, the large glazed element serves as more than weather protection for the end users. It also captures the dynamism of the skies, the water and the vegetation on site, adding life and vitality to the space. The canopy is also detached from the nearest existing structure and in turn, signifies an entirely new space and experience for its end users - one that is vastly different to the others on site.</p>	<p>proposed covered terrace and the new cover proposed for the seating area at the oval.</p> <p>This will highlight the similar architectural flair that signifies entry into the Middle Head/Gubbah Gubbah area.</p>
4.8 Proposed vehicle access and movement	
<p>Overview - road, vehicle movement, access and car Parking</p> <p>Generally, the capacity of the precinct to manage vehicle movement and car parking for long-term future demand is highly constrained due to limited available land area, multiple users and demand, particularly in summer months and at weekends and the high level of natural and cultural heritage sensitivity.</p>	<p>This development itself does not create more demand for parking or cars. It will create a safer user experience for Oval users to be dropped off away from the HMAS Penguin entrance.</p> <p>The site is located within a Commonwealth Heritage Place- Defence Site – Georges Height and Middle Head (Historic Place No. 105541) and the proposed kerb of the drop off bay is on the boundary of Military Road Framework – Defence Land (Historic Place No. 105575). Although do not engender a negative impact on the heritage values of the listing place.</p>
<p>HMAS Penguin - entry and exit conditions / Middle Head Road junction</p> <ul style="list-style-type: none"> Defence personnel enter and leave the base within specific time windows 7am to 8.30am and 4.30pm to 6.30pm – this sees significant car movement entering or leaving the base in short windows of time. Middle Head Oval users are typically dropping children at the oval primarily at the entry or exit time windows causing congestion at the base's security gate entry zone as this area is used by the public for drop off. 	<p>The new drop off zone to the east will reduce the impact of the two users arriving and leaving at similar times as the users will not be competing for access to the same area of road.</p>
<p>Middle Head Road</p> <p>The Middle Head Road alignment and character will be retained. Middle Head Road is part of the historical access along the ridge that linked the fortifications and the subsequent development of bases from Military Road, which is considered part of the military heritage values. Changes to carriageway width are not proposed, although changes are proposed to meet the requirements of vehicle, cyclist and pedestrian safety, and control of roadside parking and stormwater run-off. These improvements will retain the overall open character of the roadway and use design features such as edgings.</p> <p>The objectives of these proposed changes to Middle Head Road are to:</p>	<p>The road alignment will be maintained.</p> <p>This proposal will achieve both objectives as stated.</p> <ul style="list-style-type: none"> The new drop off zone to the east will reduce the impact of the two users arriving and leaving at similar times as the users will not be competing for access to the same area of road. This application will create a new accessible path to the south of the building which can integrate into a future loop pathway (not part of this application).

Middle Head/Gubbah Gubbah Master Plan	Development Response
<ul style="list-style-type: none"> • Improve drop-off/pick-up safety arrangements for Middle Head Oval users and separating vehicle movement from HMAS Penguin. • Significantly change and improve pedestrian safety – create a safe walking place. 	
4.8 Proposed vehicle access and movement	
<p>Bus, car and pedestrian movement at site entry</p> <p>A key objective of the master plan is to enable safe pedestrian access and enhanced access to the site by public transport buses and vehicles. Additionally, the site's ability to safely cater to school children arriving and leaving by bus or coach is regarded as a key objective.</p>	<p>This application will create a new accessible path to the south of the building which will enable safe access to the site from public transport.</p> <p>The drop off area to the east of the site will allow for safe access to the Oval for buses and cars as required.</p>
4.9 Environment, sustainability, energy and biodiversity	
<p>Water Sensitive Urban Design (WSUD)</p> <p>The principles of WSUD are to be incorporated into the renewal of the Middle Head / Gubbah Gubbah precinct to achieve water quality, water conservation and ecological objectives. Effective integration will require the application of concepts on a catchment-wide basis.</p> <p>The key concepts to be applied are:</p> <ul style="list-style-type: none"> • Source controls – removal or mitigation of the pollutant source, and onsite rainwater use. • Conveyance controls – applied during the conveyance of stormwater to bushland, streets or channels. • Discharge controls – applied at the point where water leaves the site or the catchment. • Natural systems planning – applied to the entire area, recognising essential hydrological and ecological functions of watercourses, wetlands and native vegetation. 	<p>Refer to the engineering drawings and the Architectural design report for further details on WSUD principles in the proposed building and associated works.</p>
<p>Phytophthora cinnamomi</p> <p>The Harbour Trust's Phytophthora Management Strategy will be implemented.</p>	<p>Appropriate actions included within the response to the Middle Head Management Plan.</p>
<p>Contamination</p> <p>To manage the potential impacts of known and possible remaining contamination, the Harbour Trust has commissioned long-term environmental management plans that document procedures to manage identified risks of the site.</p>	<p>Refer to the previous responses within this report, the PSI and the HAZMAT report provided with this application for further information.</p>
<p>Environmentally sustainable development (ESD)</p> <p>ESD is central to the Harbour Trust's management, strategic planning and development decision-making. ESD is defined as: Development that improves the quality of life, both now and in the future, in a way that</p>	<p>The Architect's Design Report and Consultant Reports that accompany this application illustrate how the proposal incorporates the principles of ESD.</p>

Middle Head/Gubbah Gubbah Master Plan	Development Response
improves the ecological processes on which life depends. (Source: National Strategy for ESD, 1992).	

5. Consultation

A pre-lodgement meeting was held with the SHFT on 11 April 2024. The issues identified as a result of the pre-lodgement consultation, and how they have been addressed in this development application, are described in the following table.

Table 7 Pre-Lodgement issues raised by Sydney Harbour Federation Trust

Issue	Response
Height poles to be installed for the community consultation period. The poles should be located at the corners of the new amenities building and spectator shelter	Agreed.
Landowners consent is required from the Department of Defence for any works or use of Defence land	No works on Defence land is proposed with this package. Mosman Council will liaise directly with the Department of Defence as required.
Underground and above ground utilities: Approvals from relevant authorities are required if any changes are required, or construction is proposed over existing utilities.	Existing services supplying NSW National Parks and Wildlife and HMAS Penguin will not be affected by the proposed works. Precinct wide services upgrades are not proposed. Furthermore, incoming services relocations will be kept to a minimum which will limit any disruption.
Management, operations, security arrangements for the amenities block should be addressed. We recommend any glazing should be obscured/opaque to prevent viewing inside these private areas. Crime Risk Assessment / CPTED principles. A discussion (prior to lodgement) with the Local Area Command may be beneficial.	Refer to Section 5 of this report for the CPTED review. The plan of management created which will cover security and safety. Please refer to Section 5 in this report for a review of CPTED Principles and the response from Area Command.
Implementation of ESD principles (solar panels, tanks etc should be marked on the plans)	Refer to Table 2 ESD response.
Visual impacts to/from Sydney Harbour (equivalent to a response to the Scenic Protection Area in the Mosman LEP 2012)	Refer to Section 6 in this report for a response to the Scenic Protection Area item within the Mosman LEP 2012.

Consultation has been ongoing with the community in relation to the provision of a new amenity block. The improvement in local facilities for the users of the oval will be incredibly beneficial for the sports teams who utilise the Oval on a regular basis.

Two letters of support accompany this application from:

- Mosman Swans Junior Australian Football Club (President Licia Bruce) dated 17 April 2024
 - o Focusing on the inadequacy of the existing building, improved female participation through a new, safer amenity block and increasing the community benefit while also aligning with Government principles of active living.
- Mosman Football Club (President Richard Pike) received 15 April 2024
 - o Focusing on female friendly spaces, inspiring future generations and the wider local community through new facilities and the inadequacy of the existing building especially in terms of accessibility and providing safe storage spaces.

6. Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design (CPTED) and Safer by Design principles seek to establish a holistic approach to the prevention of crime and antisocial behaviour. A key aim is to shape perception of places and minimise the opportunities for undesirable activity by incorporating a range of physical, social and management measures into the design of buildings and places. In this regard, building and landscape design should seek to address opportunities for actual crime and the perception of safety.

Table 5 demonstrates how the proposed development will meet the five key CPTED principles.

Table 8 CPTED Principles and Response

CPTED Principles	Response
SURVEILLANCE Maximise visibility and surveillance of the public environment. When there are 'eyes on the street' or 'natural surveillance' from passers-by, and if public places are overlooked from adjoining buildings, people feel safer and potential offenders feel exposed. Natural surveillance is one of the primary aids for crime prevention.	The site is situated across a small road from an active Royal Australian Naval Base (HMAS Penguin) with continual monitoring through guard houses and CCTV. The site will benefit from this active surveillance at higher risk times i.e. evenings, nights, when events are not at the Oval. The improvement of the lighting will also allow for easier surveillance of the site. The landscaping proposed will make the area attractive but does not provide offenders with a place to hide or entrap victims.
ACCESS, MOVEMENT, SIGHTLINES Provide safe movement, good connections and access. Intuitive access, clear and unobstructed sightlines and multiple points of access and egress enable people to move about with confidence. These strategies also reduce risk to safety associated with potential for entrapment, and concealment of potential threats and antisocial activity.	Opening the site to allow for visual views across the oval from the road network provides clear and unobstructed sightlines. The improvement of the lighting will also allow for clear visualisation across the site to see if people are in the area and what they are doing. The proposed development has been designed to reduce possible entrapment spaces, allowing exit and egress across the area in multiple directions.
ACTIVITY Maximise activity in public places. Balancing the needs of all users of streets and public places is vital so that people feel comfortable and safe. Encouraging walking increases activity, social interaction and surveillance in public places and reduces the risk of crime.	The introduction of more pedestrian pathways through the site will encourage active use of the space. The opening of clear sight lines across the site from the tiered seating to the meadow in the centre of the site and across to the public amenities will ensure people can see what is ahead and feel confident in using the space safely.
OWNERSHIP Clearly define private and public space responsibilities. Clarifying 'ownership' of private and public space is important for improving public safety. Where the 'ownership' of an area is ambiguous, it is often 'unclaimed' and can become the focus of anti-social and criminal behaviour. It is important to encourage residents to take responsibility and pride in places they use and inhabit.	The development of the Amenity Block will clearly define areas which are open to the public at all hours and areas which will be closed until authorised users can open the block. This level of control the users will ensure that if antisocial behaviour occurs, the council will have a register of users and can act accordingly. The redevelopment of the area will allow for a higher level of ownership by the locals and visitors who will feel pride in a useable community space being provided in a beautiful part of Sydney which is currently not open or able to be utilised safely.

CPTED Principles	Response
<p>MANAGEMENT MAINTENANCE</p> <p>Manage public space to ensure that it is attractive and well used.</p> <p>Well maintained public places improve people's perception of how safe a place is and supports their desire to occupy and use those places.</p> <p>Management programs to clean, repair and maintain public spaces and private buildings are vital for community safety and wellbeing.</p>	<p>Mosman Council will have a plan of management which will include maintenance to ensure the site is clean, well-cared for and repairs carried out as required.</p>

As part of the preparation of this application, NSW Police through North Shore Police Area Command were invited to provide feedback on the development. Table 5 demonstrated how the proposal responds to their comments.

Table 9 NSW Area Command Comments and Response

Police Comments	Responses
<p>Lighting within the site will need to be positioned in a way to reduce opportunities for offenders to commit crime i.e vandalism and graffiti. The lighting will need to be sufficient to enable people to identify signs of intoxication and anti-social behaviour. The lighting will also need to be sufficient to support images obtained from any CCTV footage. Please note that some low- or high-pressure lighting is not compatible with surveillance systems.</p>	<p>Lighting will be improved on site and positioned in areas which should reduce opportunities for offenders to commit crimes.</p> <p>Please refer to the plans provided with this application prepared by 'Electrolight' for further information. This states that: <i>'The lighting to the external landscape areas around the amenities Building should be designed in accordance with AS/NZS 1158.3.1 (2020) Lighting for roads and public spaces Pedestrian area (Category P) lighting - Performance and design requirements.'</i></p>
<p>An electronic surveillance system should be included to provide maximum surveillance of all areas of the site including entry/exits, car parks, bicycle parking, mail areas and common areas. Cameras should also cover public footpath areas around the premises. The system should be capable of recording high-quality images of events. The recording equipment should be locked away to reduce the likelihood of tampering.</p>	<p>CCTV will be installed and managed by Mosman Council.</p>
<p>All recording made by the CCTV system must be stored for at least a minimum of 30 days. Ensure that the system is accessible by at least one member of staff at all times it is in operation, and provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector. The CCTV cameras will need to be placed in suitable locations to enhance the physical security and assist in positively identifying an individual, who may be involved in criminal behaviour.</p>	<p>CCTV will be installed and managed by Mosman Council.</p>
<p>Appropriate signage should be erected inside and around the perimeter of the entire property to warn of security treatments in place e.g. "This site is under 24-hour video surveillance".</p>	<p>Appropriate signage will be installed with the CCTV by Mosman Council.</p>
<p>The landscaping design around the site needs to be free from potential hiding places and provide</p>	<p>The proposed landscaping has been designed to be visually appealing, but to also avoid entrapment</p>

Police Comments	Responses
sightlines throughout the site and into and surrounding areas such as playgrounds. Trees and shrubs should be maintained regularly to reduce concealment opportunities and increase visibility. Avoid the use of landscaping materials which could, when mature, serve as screens or barriers.	spaces and to stop potential offenders from hiding from victims. The central lawn has health in the majority of the surrounds for coverage which does not provide hiding spaces. There are no screening landscaped elements which could act as barriers proposed.

7. Scenic Protection

The Mosman Local Environmental Plan (LEP) 2012 contains a clause in relation to the Scenic Protection Area of Mosman and the recognition of the visual environment of the local area. The Trust requested a response in relation to this item in the LEP within this application.

The proposed building will visually blend into the landscape due to the relocation of the building west, the reduction in height from the current building and the subtle materiality of a warm colour concrete and timber screening. The new development will not visually interfere with other prominent natural features of the Headland and Harbour.

Table 10 Scenic Protection Area visual assessment

Mosman LEP 2012	Development Response
6.4 Scenic protection (1) The objectives of this clause are as follows— (a) to recognise and protect the natural and visual environment of Mosman and Sydney Harbour, (b) to reinforce the dominance of landscape over built form, (c) to ensure development on land to which this clause applies is located and designed to minimise its visual impact on those environments.	1. (a) The location is highly valued by the local communities and visitors alike. (b) The moving of the amenity block to the west of the site will open up the view across the oval into the Harbour beyond. (c) The visual amenity of the site was one of the main considerations to the Architects when designing the new amenity block and to the landscape architects when proposing the new community space. This is done by having no trees block the view and enhance the view by flanking the main throughfare with trees.
(2) This clause applies to land identified as “Scenic Protection Area” on the Scenic Protection Map.	2. The site is located within the Scenic Protection Area.
(3) Development consent must not be granted to any development on land to which this clause applies unless the consent authority is satisfied that— (a) measures will be taken, including in relation to the location and design of the proposed development, to minimise the visual impact of the development to and from Sydney Harbour, and (b) the development will maintain the existing natural landscape and landform.	3. (a) The position of the new amenity building has reduced the bulk and impact of built form from obstructing the views across the harbour. The proposed location of the new amenity building will open up the view corridor across the oval to the harbour and Manly beyond. (b) The current landscape and bush planting will not be affected by this proposal. The landform will not be adversely affected by the new amenity building and landscaping.



Figure 10 Viewing the current building head on from the roundabout shows the lack of any views across the harbour apart from a small area down Penguin Close to the west. [Google maps 2021- accessed 2024]



Figure 11 View across the Oval towards Manly [own photography 2024]



Figure 12 View from the current building across to Manly- Red triangles show view angle [Nearmaps 2024].

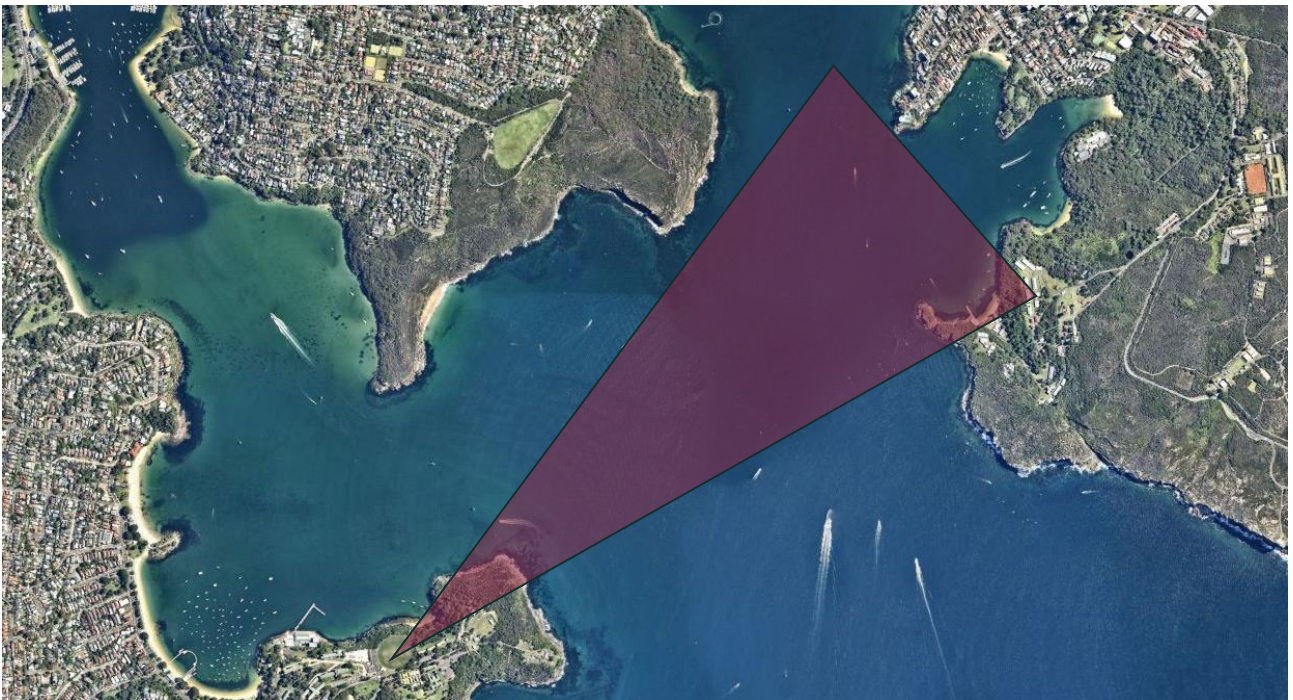


Figure 13 View from the building across to Dobroyd Head and Manly [Nearmaps 2024]

8. Mitigation Measures

Contamination Review

Any potential hazardous materials will be dealt with by licenced builders and through the construction and environment management plan (CEMP). A CEMP can be provided to the Trust as a condition of consent before construction commences.

Plans of Managements

Mosman Council will prepare a plan of management (POM) for the new amenity building which outlines the scheduled activities and procedures necessary for the effective and efficient upkeep of the building.

9. Conclusion

This Planning Proposal Report has undertaken an assessment of the proposal of the Amenity Block at Middle Head Oval, Mosman NSW against the requirements of the Sydney Harbour Federation Trust.

This assessment found that the new amenity block and associated landscaping complies with the Middle Head Management Plan and the Middle Head/Gubbah Gubbah Master Plan and will improve the character of the local area. As expressed in the supporting documents, the development will ensure relevant laws, standards and regulations will be adhered to through the construction and operation of the building. It is also not required to undertake a referral to DCEEW under the EPBC Act.

Given the findings of this assessment, the provided support reports and the consistency with the Sydney Harbour Federation Trust's documentation, we consider that the proposal is in the public interest and merits approval.

